

File #:

62-116395

Serial Scope:

1680, 1681

1683 THRU 1690

1ST NR 1692, 2ND NR 1692

1694, 1ST NR 1694

1696, THRU 1ST NR 1698

1ST NR 1699 THRU 1705

1707 THRU 1714

1 - Mr. Adams
1 - Mr. Moore
1 - Mr. Mintz
1 - Mr. Gregar
1 - Mr. Kent
1 - Mr. Heller
2 - Mr. Coughen

January 9, 1979

FEDERAL GOVERNMENT

Honorable Birch Bayh
Chairman, Senate Select Committee on Intelligence Activities
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

In response to your letter dated December 1, 1978, I am enclosing the original and one copy of a letterhead memorandum as well as one copy each of the enclosures described therein. This is in reply to your request for information concerning the investigation conducted by the FBI into the "John Paisley" matter.

I believe you will find this material answerable to your request.

Sincerely yours,

William H. Webster
William H. Webster
Director

Enclosures (17)

REC-37 D-12

62-116395-1714

1 - Assistant Attorney General (Enclosures 16 detached)
Office of Legislative Affairs

RH: sr
(12) p

Enclosure to Memorandum to
Assistant Attorney General
Office of Legislative Affairs
Dated 1/9/78

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgmt. _____
Tech. Servs. _____
Training _____
Public Affs. Off. _____
Telephone Rm. _____
Director's Sec'y _____

12 - ENCL
ENCLOSURE ATTACHED

62 FEB 13 1979

MAIL ROOM

APPROVED:
Director *W. H. Webster*
Assoc. Dir. *John Coughen*
Dep. AD Adm. *John Coughen*
Dep. AD Inv. *John Coughen*

Adm. Serv. _____
Crim. Inv. _____
Ident. *R. K. Coughen*
Intell. *R. K. Coughen*
Laboratory _____

Legal Coun. *W. H. Webster*
Plan. & Insp. _____
Rec. Mgmt. _____
Tech. Servs. _____
Training _____
Public Affs. Off. _____

4 JAN 23 1979

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-79 BY SP-165K/600

1 - Assistant Attorney General
Office of Legislative Affairs
(Enc.) (detached)

1 - Mr. Adams
1 - Mr. Cregar
1 - Mr. Moore
1 - Mr. Mintz

January 9, 1979

~~CONFIDENTIAL~~ 1 - Mr. Kent
1 - Mr. Heller

2 - Mr. Coulson

SENATE SELECT COMMITTEE ON INTELLIGENCE

This is in response to your letter of December 1, 1978, addressed to the Honorable William H. Webster, your reference Q6401. (U)

Enclosed for your information is one copy each of the following:

Copy of Civil Fingerprint Card forwarded by Phoenix Union High School received by the FBI on July 10, 1940; (U)

Copy of fingerprints of an unknown deceased individual forwarded by the Maryland State Police whose prints were later identified as those of John Arthur Paisley; (U)

Copy of the FBI Identification Division's final report dated October 10, 1978, concerning the Bureau's recent identification of the Paisley fingerprints and which was prepared for the Chief Medical Examiner, Baltimore, Maryland. (A copy of this report was made available to the Maryland State Police.) (U)

A Xerox copy of two index cards showing receipt of Paisley's fingerprints from the Central Intelligence Agency and Phoenix, Arizona. (U)

All relevant materials relating to FBI policies which were followed in purging from FBI files of the John Paisley prints submitted to the FBI by the Central Intelligence Agency. (U)

DECLASSIFIED BY SP9ALW/RW
ON 11-28-00

~~CONFIDENTIAL~~

Classified and Extended by 7006
Reason for Extension FCIM, II, 1-2.4.2 2 and 3
Date of Review for Declassification January 9, 1999

10-16375-111

ENCLOSURE

RH:sr
(12)

MAIL ROOM

FBI/DOJ

~~CONFIDENTIAL~~

The FBI did not open a kidnapping case on the John Paisley matter, although the FBI considered his disappearance as a possible violation of the Federal Kidnapping Statute, Title 18, U.S. Code, Section 1201(b). Information was received on a possible violation on September 29, 1978, from Walter Taylor, National Editor of "The Washington Star," who advised that shortly after 8:00 a.m. Assistant Editor Kenneth Eichenberry (phonetic) received a telephone call from an individual who identified himself as Ghawzi Ullah, stating that they had kidnapped a Central Intelligence Agency (CIA) employee named John Taysle (phonetic). At approximately 10:00 a.m., Mr. Taylor received a second telephone call from Ghawzi Ullah stating that John Paisley, a CIA agent, had been seized by one of their commandos in the Chesapeake Bay area. He stated that Paisley was valuable to them for identification of "Zionist Agents" in other countries. Ghawzi Ullah made the following demands for the "Muslim Council of War of New York": (U)

1. the release of all Muslim prisoners;
2. \$1,000,000.00 and;
3. that Henry Kissinger be turned over to them. (U)

He stated that the specific time and date would be called in later and that he wanted this action to be published and widely circulated. He further stated that this was no joke; that it was not a game; and that it affected the fate of "Islam." (U)

It should be noted that "The Washington Post" on Friday, September 29, 1978, Page B1, contained an article concerning Paisley and his disappearance and that he was lost off his sloop somewhere in the Chesapeake Bay. (U)

Paisley's body was located in the Chesapeake Bay on October 1, 1978. In view of the evidence not supporting an actual kidnapping nor the crossing of a state line, the FBI conducted no further investigation into this violation of the Federal Kidnapping Statute. (U)

~~CONFIDENTIAL~~

-2-

APPROVED:

Director _____
Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____

Adm. Serv. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____

Legal Coun. _____
Plan. & Insp. _____
Rec. Mgmt. _____
Tech. Servs. _____
Training _____
Public Affs. Off. _____

~~CONFIDENTIAL~~

In response to your request concerning the information furnished the FBI by the Central Intelligence Agency and the U.S. Coast Guard, the following is responsive:

CIA letter to FBIHQ dated September 28, 1978, disclosed that Lieutenant Cook, Portsmouth, Virginia, United States Coast Guard (USCG) Station, advised that on the evening of September 24, 1978, when John Paisley did not return to Port, information was made available to him which disclosed a Soviet vessel was proceeding up the Chesapeake Bay. (S) (u)

Inquiries with Naval Investigative Service Headquarters (NISHQ) and USCG Headquarters further disclosed that a Soviet vessel was not in the vicinity of John Paisley's boat. Information did disclose that two Polish vessels, the "General Stanislaw Poplawski" and "Francis Zubrzycki" were in the Bay area, and in all likelihood USCG initial information was referring to the "Francis Zubrzycki." (S) (u)

Additionally, USCG information also indicated that there was an unusual amount of communications traffic from the Soviet summer residence on the Eastern Shore of the Chesapeake Bay, i.e., Pioneer Point. (S) (u)

On October 3, 1978, USCG Headquarters furnished information that communications traffic from the Soviet establishment located at Pioneer Point is not targeted by USCG and that USCG only monitors shipping and boating frequencies as required by existing regulations. (S) (u)

~~CONFIDENTIAL~~

Enclosures (15)

-3-

1st Sub para is declassified
per CIA tr. dated 8/14/80
SP-4 JRM-DLC 8/25/80

| APPROVED: | Adm. Serv. | Legal Coun |
|--------------|------------------------|-------------------|
| Director | Crim. Inv. | Plan. & Insp. |
| Associate | Ident. | Rec. Mgmt. |
| Dep. Adm. | Intell. <i>two 1/7</i> | Tech. Servs. |
| Dep. AD Inv. | Laboratory | Training |
| | | Public Affs. Off. |

1st para NTS info is declassified per NTS
SP-2 TAP/SP-3 em-DLC
6-9-80

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/22/99 BY SP/165K-DLC

62-1000-95-1714
ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE

CIVIL FINGERPRINT CARD

JOHN ARTHUR PAISLEY
JULY 1940
FORWARDED FOR PERSONAL IDENTIFICATION PURPOSES ONLYFORWARDED BY Phoenix Union High School ADDRESS Phoenix, Arizona

(Please indicate name of organization or law enforcement agency if not submitted by individual whose fingerprints appear hereon)

Name Jack Arthur Paisley Height 5' 8 1/2 Build SlightAddress 1910 E Harvard St. DE 4-1900 Weight 137 Comp. MediumCity Phoenix, Arizona MD Eyes Blue Hair Brown wavyPlace of birth Tulsa, Oklahoma DC Scars and marks Thumb of right handDate of birth August 25, 1923 Right knee small scarsNationality American WHIIE MALE

REMARKS.—Name and address of nearest relative, or person to be notified in case of emergency:

Mrs. Clara Paisley

1910 E Harvard St.

Phoenix, Arizona

PASTE
PHOTOGRAPH HERE
(OPTIONAL)PRINT
LEAVE SPACE BELOW BLANK

FINGERPRINTED

JUL 16 1940

RECEIVED
FBI - PHOENIX
FEDERAL BUREAU OF INVESTIGATION

IMPORTANT—PLEASE INCLUDE ALL REQUESTED DATA

7-2201

MAILED
Name Paisley
(Surname)
(Please type or print plainly)

PERSONAL IDENTIFICATION

Jack Arthur
(Given name) (Middle name)

521 606

DEAD

MASTER

Classification

1111 R-110 11
1111 R-050

Color White

Sex M

Reference

RIGHT HAND

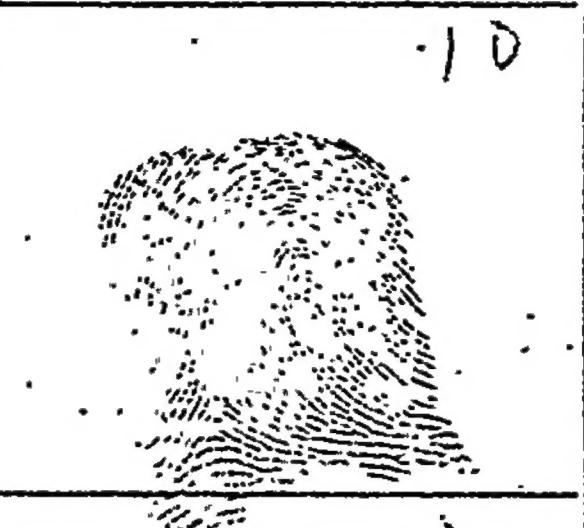
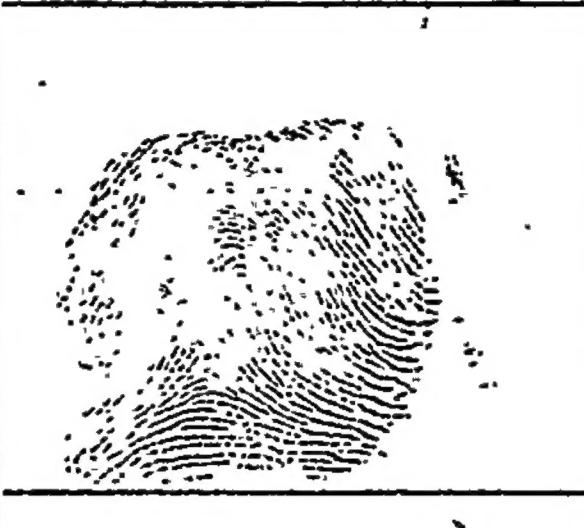
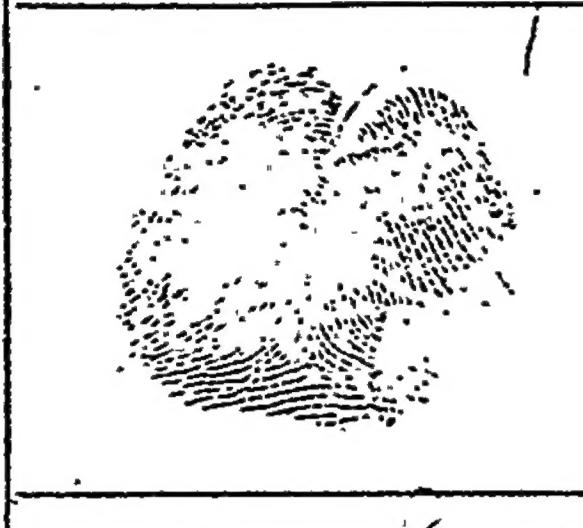
1. Thumb

2. Index finger

3. Middle finger

4. Ring finger

5. Little finger



LEFT HAND

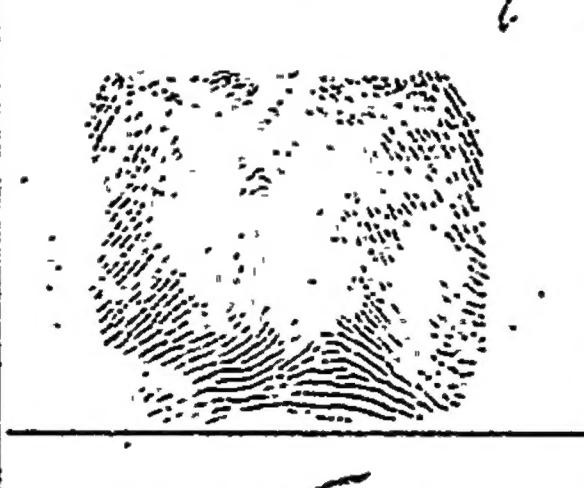
6. Thumb

7. Index finger

8. Middle finger

9. Ring finger

10. Little finger



Impressions taken by:

(Signature of individual taking prints)

Note amputations

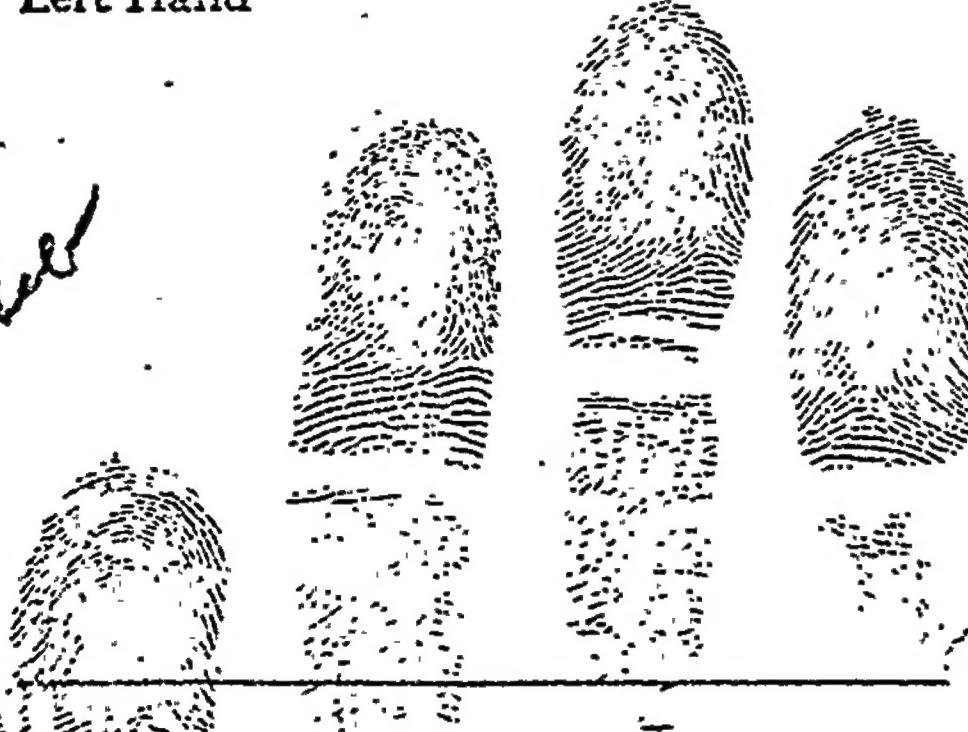
Signature:

Jack Arthur

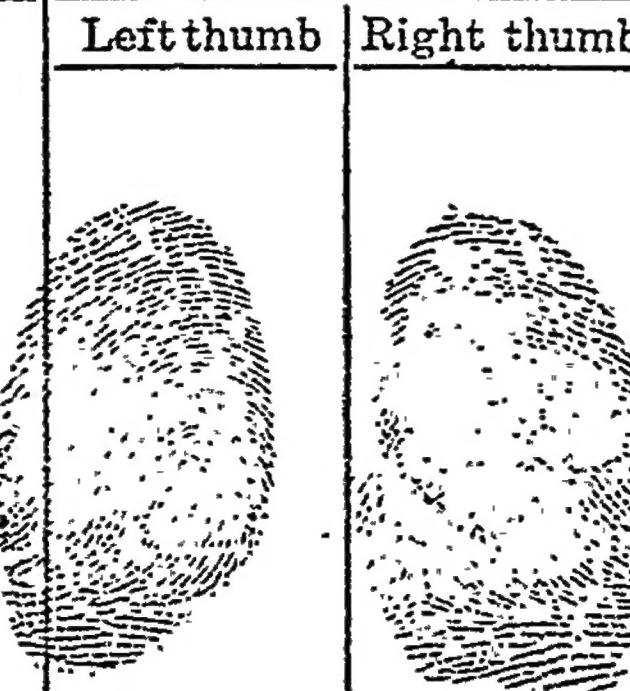
Four fingers taken simultaneously

Four fingers taken simultaneously

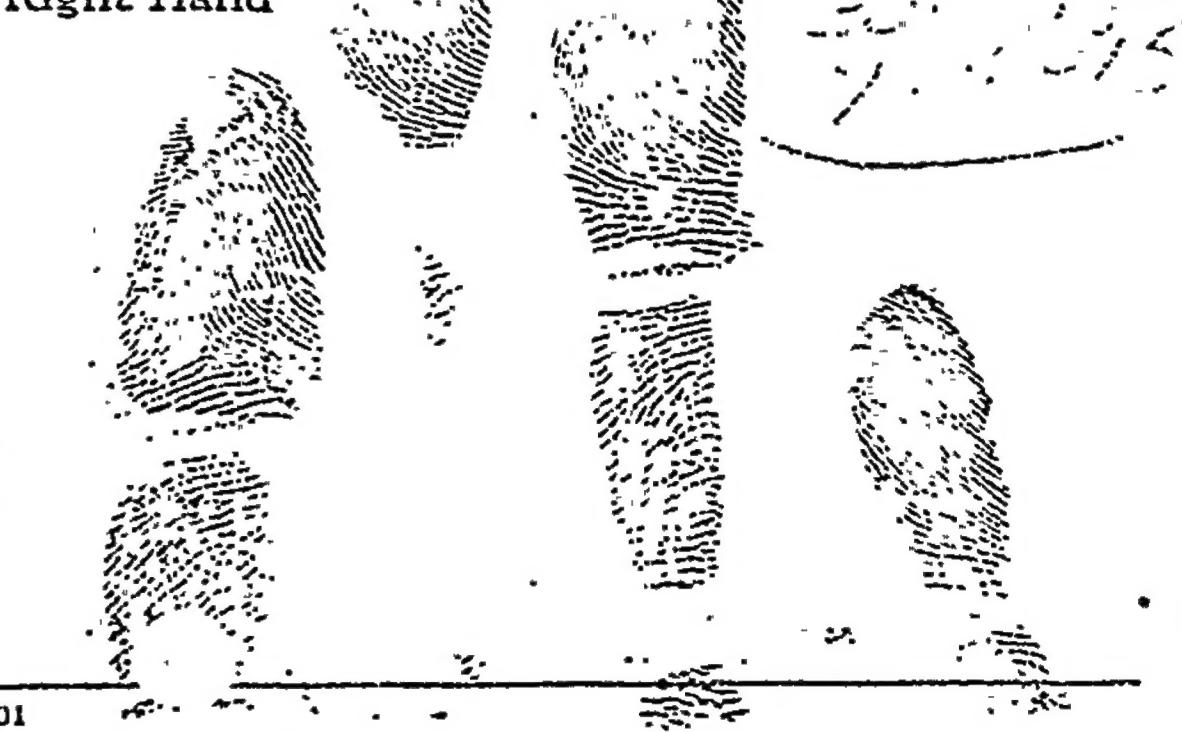
Left Hand



Left thumb Right thumb



Right Hand



LEAVE BLANK

TYPE OR PRINT ALL INFORMATION IN BLACK
LAST NAME NAM FIRST NAME FIRST MIDDLE NAME MIDDLE

FBI LEAVE BLANK

Unknown Deceased

541-606

STATE USAGE

SIGNATURE OF PERSON FINGERPRINTED

THIS DATA MAY BE COMPUTERIZED IN LOCAL, STATE AND NATIONAL FILES

DATE 10/3/78 SIGNATURE OF OFFICIAL TAKING FINGERPRINTS Kenneth C. Grossman

CHARGE

DECEASED

FINAL DISPOSITION

(14-20)

ALIASES JOHN ARTHUR
PAISLEYCONTRIBUTOR
ORI 111

DATE OF BIRTH DOB

Month Day Year
8 25 23

DATE ARRESTED OR RECEIVED DOA

SEX M RACE W HGT. 5'10" WGT. EYES HAIR PLACE OF BIRTH POBYOUR NO. OCA

LEAVE BLANK

FBI NO. FBI

CLASS.

SID NO. SID

REF.

SOCIAL SECURITY NO. SOC 10 1/2

CAUTION

NOT CLASS - FPC

1970/15
60-15

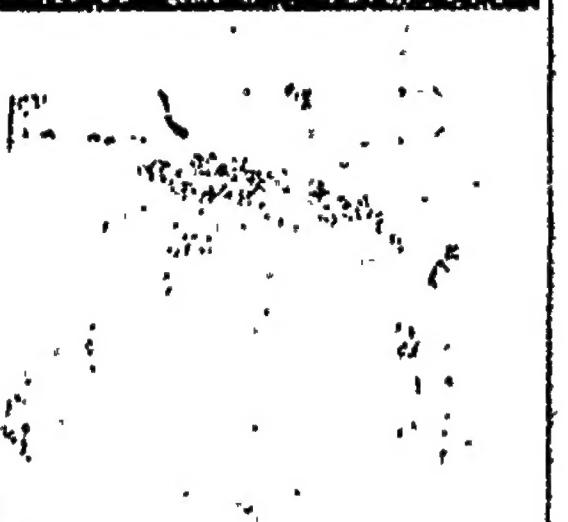
7. R. INDEX



8. R. MIDDLE



9. R. RING



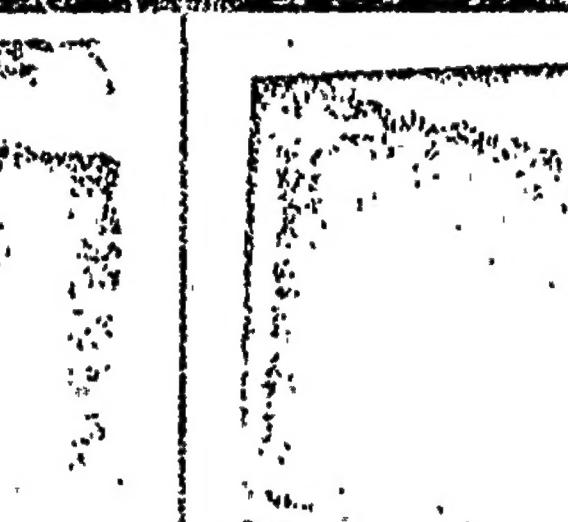
10. R. LITTLE



7. L. INDEX



8. L. MIDDLE



9. L. RING



10. L. LITTLE

12

12

10
8

13

9

1205-CW/1205

FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE
WASHINGTON, D. C. 20537

PALM PRINTS TAKEN? YES NO
PHOTO AVAILABLE? YES NO

IF AVAILABLE, PASTE PHOTO OVER INSTRUCTIONS
IN DOTTED AREA. (DO NOT USE STAPLES)

SINCE PHOTOGRAPH MAY BECOME DETACHED INDICATE NAME,
DATE TAKEN, FBI NUMBER, CONTRIBUTOR AND ARREST NUMBER
ON REVERSE SIDE, WHETHER ATTACHED TO FINGERPRINT CARD OR
SUBMITTED LATER.

IF ARREST FINGERPRINTS SENT FBI PREVIOUSLY AND FBI NO. UNKNOWN,
FURNISH ARREST NO. _____ DATE _____

STATUTE CITATION (SEE INSTRUCTION NO. 9) CIT

1.
2.
3.

ARREST DISPOSITION (SEE INSTRUCTION NO. 5) ADN

EMPLOYER: IF U. S. GOVERNMENT, INDICATE SPECIFIC AGENCY.
IF MILITARY, LIST BRANCH OF SERVICE AND SERIAL NO.

OCCUPATION

RESIDENCE OF PERSON FINGERPRINTED

SCARS, MARKS, TATTOOS, AND AMPUTATIONS SMT

BASIS FOR CAUTION ICO

DATE OF OFFENSE DOO

SKIN TONE SKN

MISC. NO. MNU

ADDITIONAL INFORMATION

7/25/78

INSTRUCTIONS

1. UNLESS OTHERWISE PROVIDED BY REGULATION IN YOUR STATE, FINGERPRINTS ARE TO BE SUBMITTED DIRECTLY TO FBI IDENTIFICATION DIVISION. FORWARD IMMEDIATELY FOR MOST EFFECTIVE SERVICE.
2. FINGERPRINTS SHOULD BE SUBMITTED BY ARRESTING AGENCY ONLY (MULTIPLE PRINTS ON SAME CHARGE SHOULD NOT BE SUBMITTED BY OTHER AGENCIES SUCH AS JAILS, RECEIVING AGENCIES, ETC.). REQUEST COPIES OF FBI IDENTIFICATION RECORD FOR ALL OTHER INTERESTED AGENCIES IN BLOCK BELOW. GIVE COMPLETE MAILING ADDRESS, INCLUDING ZIP CODE.
3. TYPE OR PRINT ALL INFORMATION.
4. NOTE AMPUTATIONS IN PROPER FINGER-BLOCKS.
5. LIST FINAL DISPOSITION IN BLOCK ON FRONT SIDE. IF NOT NOW AVAILABLE, SUBMIT LATER ON FBI FORM R-84 FOR COMPLETION OF RECORD. IF FINAL DISPOSITION NOT AVAILABLE SHOW PRE-TRIAL OR ARRESTING AGENCY DISPOSITION, e. g., RELEASED, NO FORMAL CHARGE, BAIL, TURNED OVER TO, IN THE ARREST DISPOSITION BLOCK PROVIDED ON THIS SIDE.
6. MAKE CERTAIN ALL IMPRESSIONS ARE LEGIBLE, FULLY ROLLED AND CLASSIFIABLE.
7. CAUTION - CHECK BOX ON FRONT IF CAUTION STATEMENT INDICATED. BASIS FOR CAUTION (ICO) MUST GIVE REASON FOR CAUTION, e. g., ARMED AND DANGEROUS, SUICIDAL, ETC.
8. MISCELLANEOUS NUMBER (MNU) - SHOULD INCLUDE SUCH NUMBERS AS MILITARY SERVICE, PASSPORT AND/OR VETERANS ADMINISTRATION (IDENTIFY TYPE OF NUMBER).
9. PROVIDE STATUTE CITATION, IDENTIFYING SPECIFIC STATUTE (example - PL for PENAL LAW) AND CRIMINAL CODE CITATION INCLUDING ANY SUB-SECTIONS.
10. ALL INFORMATION REQUESTED IS ESSENTIAL.

SEND COPY TO:

REPLY DESIRED? YES NO

(REPLY WILL BE SENT IN ALL CASES IF SUBJECT FOUND TO BE WANTED)

IF COLLECT WIRE OR COLLECT TELEPHONE REPLY
DESIRED, INDICATE HERE: (WIRE SENT ON ALL UNKNOWN DECEASED)

WIRE REPLY TELEPHONE REPLY TELEPHONE NO. AND AREA CODE

LEAVE BLANK

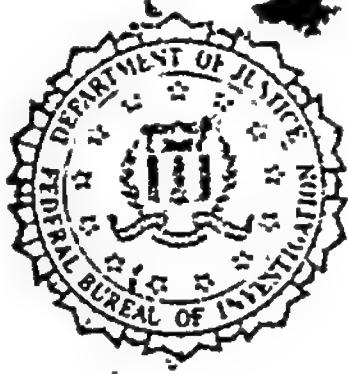
SEARCHED

RECORDED

OCT 25 1978

IDENT. DIV. 25

7/25/78



FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20537

COPY

REPORT

of the

LATENT FINGERPRINT SECTION
IDENTIFICATION DIVISION

YOUR FILE NO.

FBI FILE NO. 32-57
LATENT CASE NO. B-66399

October 10, 1978

TO: Dr. Russell S. Fisher
 Chief Medical Examiner
 Department of Post Mortem Examiners
 111 Penn Street
 Baltimore, Maryland 21201

RE: UNKNOWN DECEASED;
 TENTATIVELY IDENTIFIED AS
 JOHN ARTHUR PAISLEY
 BODY FOUND FLOATING IN
 CHESAPEAKE BAY, MARYLAND
 ON OCTOBER 1, 1978

REFERENCE: Letter October 2, 1978, and specimens delivered to
 Latent Fingerprint Section October 2, 1978
 EXAMINATION REQUESTED BY: Addressee
 SPECIMENS: Two hands

This report supplements and confirms the information furnished telephonically on October 6, 1978.

Fingerprints suitable for identification purposes were obtained from the fingers of the submitted hands and searched through our main fingerprint files.

The fingerprints obtained from the fingers were identified as fingerprints of Jack Arthur Paisley, born August 25, 1923, in Tulsa, Oklahoma. The nearest relative listed on the fingerprint card of Paisley is Mrs. Clara Paisley, 1910 East Harvard Street, Phoenix, Arizona.

(Continued on next page)

1 - WFO (199-287) (P)
 1 - Baltimore (199-29)

COPY

THIS REPORT IS FURNISHED FOR OFFICIAL USE ONLY

FBI/DOJ

Dr. Russell S. Fisher

October 10, 1978

Should you desire the assistance of one of the FBI's fingerprint experts in the trial of this case, we should be notified in ample time to permit the necessary arrangements. This report should be used, however, if legal considerations permit, in lieu of the appearance of our expert in any pretrial action such as a preliminary hearing or grand jury presentation. Our representative cannot be made available to testify if any other fingerprint expert is to present testimony on the same point, that is, that the impressions in question are identical.

As requested, the specimens are being held in the Latent Fingerprint Section until called for by a member of the Maryland State Police.

1 - Corporal John Murphy
Maryland State Police
Prince Frederick, Maryland 20678

Page 2
LC #B-66399

COPY

Paisley, John Arthur W 8-25-23 5-10½ 1-C

NON-CRIMINAL

16 M 1 R II0 11
M 1 R 010 6 541 606

#21847 Central Intelligence Agency Wash DC

1-29-54

DEAD
MICROFILM
OCT 1 1978

Paisley, Jack Arthur

NONCRIMINAL

W 1923 5-82

17 L 1 R II0 11
M 1 R 010

Phoenix Ariz 7/10/40

6 541 606

T-103

16-35015-1 GPO

Let to San Bay with LHM, 1-9-78
R Hiss

TO : MRS. MORR

DATE: 12-15-70

FROM : L. M. Walters LMW

Contad _____
Felt _____
Rude _____
Rosen _____
Tavel _____
Walters LMW
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

SUBJECT: CONSOLIDATION AND PURGE
CIVIL FINGERPRINT FILE
IDENTIFICATION DIVISION

Purpose of this memorandum is to revise policy for the consolidation and purging of the civil fingerprint file.

BACKGROUND: The civil fingerprint file is housed on the third floor of the Identification Building and consists of more than 136,000,000 fingerprint cards occupying approximately 47,000 square feet of floor space. The file is broken down into 5 principal sections, Military (43,000,000), Civil Service (19,000,000), Alien (14,000,000), National Defense and Miscellaneous Applicants (54,000,000), and Personal Identification (6,000,000). As personnel have been available in the past we have, on a limited basis, consolidated and purged the file. For example, we have been microfilming and destroying prints in the National Army Section of the Military file (World War One prints not filed by classification), which contains 4,250,000 prints. This project is about 66% complete. Further, the Prisoner of War file, which contained approximately 358,735 prints, was recently destroyed with Archival approval. We have also been purging the National Defense section of the file of persons 75 years of age and older. This purge was conducted with approval of the Director and approximately 5,413,890 of these prints have been tabbed for destruction. As a regular procedure we have long microfilmed and destroyed deceased prints (both civil and criminal) after 10 years from date of death.

PROPOSALS: The Bureau's budget request for fiscal year 1972 contains 274 employees earmarked for consolidation of the civil file and, if this request is approved, we intend to proceed with the following policy for implementation of this project:

1. The National Defense portion of the file contains the fingerprints of individuals taken in connection with civilian national defense work during World War Two and comprises almost one-third of our entire civil file (45 million). In 1957 the Bureau, in order to retard the growth of the civil file, established a policy of not retaining new prints submitted in this category, i. e., non-Federal applicants. Thus, no additional prints have been added to the file since 1957. We propose to destroy this file as well as the index cards applicable to it. The prints were submitted initially to determine whether or not the individuals had arrest records in order that they might be considered for employment in connection with the national defense during World War Two. This purpose has been served. The only possible

1 - Mr. Mohr 1 - Mr. Sullivan 1 - each Assistant Director

NEM:hs

(4)

CONTINUED - OVER

Consolidation and Purge
Civil Fingerprint File
Identification Division

additional purpose that would be served by retaining these prints would be to establish identity in unknown deceased, amnesia victim or missing person cases. Experience has shown that activity in this file is practically nonexistent. Authority to proceed with this proposal rests with the Bureau.

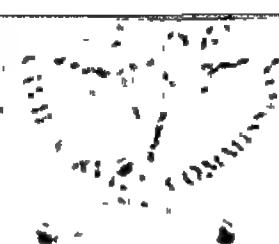
2. We propose to destroy the fingerprint cards of all individuals in the remaining sections of the civil file who are 75 years of age and older. Activity in this section of the civil file is practically nil. In order to proceed with this proposal we would need the concurrence of the agencies involved, such as Immigration and Naturalization Service (INS) for alien prints, Civil Service Commission (CSC) for Civil Service prints, and branches of the military for military prints. We would also need Archival approval.

3. We propose that the remaining fingerprints in the civil file be consolidated and in those instances where more than one fingerprint card is found on the same individual that only one card be retained and the remaining cards destroyed. A record of the prints destroyed would be retained in our Card Index Section for future reference. The consolidated index card would show dates taken and sources of duplicate prints destroyed. If this procedure is adopted, we will have on file at least one fingerprint card for each individual represented in our civil file. In order to proceed with this proposal we will need concurrence from the agencies involved, including INS, CSC, and the branches of the military as well as Archival approval.

If these proposals are adopted and personnel provided to carry them out, upon completion of the consolidation and purging project we would destroy at least 67,000,000 civil fingerprint cards which would result in the savings of more than 23,500 square feet of floor space or approximately 50% of the civil file and space it now occupies. We estimate completion of the project in 10 years, or an average saving of 2350 square feet of floor space per year. In addition to the savings in floor space, benefits would be realized from savings in searching and locate time. The 274 employees requested in the fiscal year 1972 budget earmarked for the civil file consolidation project do not involve the criminal file. However, we are also considering proposed policy for limited purging of the criminal file and a separate memorandum will be submitted forward on this.

RECOMMENDATION: That our proposed procedures for consolidation and purging of the civil files be approved and we be authorized to proceed to contact the other agencies to obtain their concurrence.

L M



UNITED STATES CIVIL SERVICE COMMISSION

WASHINGTON, D.C. 20415

YOUR REFERENCE

February 1, 1971

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D. C. 20535

Mr. H. J. ___
Mr. B. ___
Mr. Callahan
Mr. S. ___
Mr. C. ___
Mr. T. ___
Mr. E. ___
Mr. L. ___
Mr. R.
Mr. F.
~~Miss G.~~
Mr. S. ___
Tele. Room ___
Miss H. ___
Miss Gandy ___

Dear Mr. Hoover:

We concur in the two proposals concerning your civil fingerprint file described in your letter of January 21, 1971.

We see nothing in your proposals that would impair the effectiveness of the Government's investigative programs and have no objections to your implementing them.

Sincerely yours,

Robert E. Hampton
Chairman

Robert E. Hampton
Chairman

166

63

12 FEB 3 1971

1920

THE CIVIL SERVICE RETIREMENT SYSTEM FIFTY YEARS OF PROGRESS

1970

January 21, 1971

Honorable Robert E. Hampton
Chairman
Civil Service Commission
Washington, D. C. 20415

Dear Mr. Hampton:

We are considering the following two proposals designed to enhance the searching efficiency of the civil fingerprint file now containing more than 137,000,000 fingerprint cards and to make available badly needed space for expansion purposes. It should be noted that fingerprints submitted by your agency that are identified with arrest records in our files are not involved in these proposals.

(1) Purge and destroy the fingerprints of individuals 75 years of age and older from this file.

(2) In instances where this file contains more than one set of fingerprints of individuals less than 75 years of age, that one set be retained and all duplicates destroyed. We would retain a record of the duplicates destroyed by means of entries on our index cards.

Your comments and concurrence with above proposals would be appreciated.

Sincerely yours,

BEP:ed
(5)

NOTE: This correspondence is the result of Director's approval of Executives Conference memo 1-13-71 captioned: CONSOLIDATION AND PURGE CIVIL FINGERPRINT FILE, IDENTIFICATION DIVISION. NEM:hs

DEPARTMENT OF DEFENSE
WASHINGTON, D. C. 20501

1-8 FEB 1971

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D. C. 20535

Dear Mr. Hoover:

I refer to your letter to Secretary Laird dated January 21, 1971, in which you ask for comments and concurrence regarding action you propose to take concerning your fingerprint files.

This is to advise that the Department of Defense has no objections to your proposal.

Sincerely,

Robert F. Froehlke

Robert F. Froehlke

January 19, 1971

Honorable Melvin R. Laird
The Secretary of Defense
Washington, D. C. 20301

Dear Mr. Laird:

Our civil fingerprint file now contains more than 137,000,000 fingerprint cards including some 44,000,000 sets of fingerprints submitted in connection with military service. There is duplication in the military submissions as a result of multiple enlistments and further duplication exists when former military personnel are fingerprinted in other civil matters, such as in connection with civilian employment with the United States Government. We are considering the following two proposals designed to enhance the searching efficiency of the civil fingerprint file and make available badly needed space for expansion purposes.

(1) Purge and destroy the fingerprints of individuals 75 years of age and older from this file.

(2) In instances where this file contains more than one set of fingerprints of individuals less than 75 years of age, that one set be retained and all duplicates destroyed.

In connection with proposal number two, we would always select the military fingerprint card for retention, thereby preserving a record of military prints submitted to us until the individual reaches the age of 75. Also we would retain a record of the duplicate military prints destroyed by means of entries on our index cards.

Your comments and concurrence with above proposals would be appreciated.

Sincerely yours,

BEP:ed

(5)

(See note page 2)

Honorable Melvin R. Laird

NOTE: This correspondence is the result of Director's approval of Executives Conference memo 1-13-71 captioned: CONSOLIDATION AND PURGE CIVIL FINGERPRINT FILE, IDENTIFICATION DIVISION. NEM:hs

TO DISPOSE OF RECORDS

(See Instructions on Reverse)

TO: GENERAL SERVICES ADMINISTRATION,
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON 25, D. C.

1. FROM (AGENCY OR ESTABLISHMENT)

Department of Justice

2. MAJOR SUBDIVISION

Federal Bureau of Investigation

3. MINOR SUBDIVISION

Files and Communications Division

4. NAME OF PERSON WITH WHOM TO CONFER

J. W. Marshall

5. TEL. EXT.

2331

DATE RECEIVED

MAY 26 1971

JOB NO.

DATE APPROVED

60-171-160

NOTIFICATION TO AGENCY

IN ACCORDANCE WITH THE PROVISIONS OF PUBLIC
LAW 91-287 DISPOSAL OF ITEMS MARKED "DISPOSAL
APPROVED" IS AUTHORIZED.6/10/71
DATEFBI-Baltimore
ARCHIVIST OF THE UNITED STATES

6. CERTIFICATE OF AGENCY REPRESENTATIVE:

I hereby certify that I am authorized to act for the head of this agency in matters pertaining to the disposal of records, and that the records described in this list or schedule of 2 pages are proposed for disposal for the reason indicated: ("X" only one)

A The records have ceased to have sufficient value to warrant further retention.

B The records will cease to have sufficient value to warrant further retention on the expiration of the period of time indicated or on the occurrence of the event specified.

5/14/71
(Date)John W. Marshall
(Signature of Agency Representative)

Branch Chief

(Title)

| 7. ITEM NO. | 8. DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS) | 9. SAMPLE OR JOB NO. | 10. ACTION TAKEN |
|-------------|---|-------------------------|-------------------|
| 1. | Fingerprint cards and corresponding index cards for individuals taken in connection with civilian national defense work during World War II. These non-Federal fingerprint cards were initially submitted to determine whether or not the individuals had arrest records. These fingerprint cards no longer serve a useful purpose. | | DISPOSAL APPROVED |
| 2. | Fingerprint cards and corresponding index cards for all individuals 75 years of age and older which were submitted by the Immigration and Naturalization Service, the Civil Service Commission and the Department of Defense. These fingerprint cards were submitted to determine whether the individuals had prior arrest records and the continued retention of them no longer serves a useful purpose. | | DISPOSAL APPROVED |
| 3. | All fingerprint cards of the type described in item 2, above, in excess of one on individuals under 75 years of age. Those fingerprint cards in excess of one represent a duplicate set of fingerprints. As the contributor of each of the duplicate fingerprint cards will be recorded on an index card, the duplicate fingerprint cards no longer serve a useful purpose. | | DISPOSAL APPROVED |

Four copies, including original, to be submitted to the National Archives and Records Service

16-60429-3 GPO

REQUEST FOR AUTHORITY TO DISPOSE OF RECORDS—Continuation Sheet

| 7. ITEM NO. | 8. DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS) | 9. SAMPLE OR JOB NO. | 10. ACTION TAKEN |
|----------------|--|----------------------------|------------------------|
| | <p>The Department of Defense, the Immigration and Naturalization Service, and the Civil Service Commission have approved the destruction of the fingerprint cards described above. A representative sampling of those cards will be reduced to microfilm for permanent retention in accordance with item 4a of the FBI Records Retention Plan.</p> <p>4. Letters and other communications from the Armed Forces advising of the return of a deserter to military control who was not listed as or investigated by this Bureau as a deserter.</p> | | DISPOSAL : APPROVED |
| | | | |

Four copies, including original, to be submitted to the National Archives

16-59426-1 CPO

APPRAISAL REPORT

Disposal Job No. MM-171-160

Approved for disposal:

Items 1-2 are disposable because they do not have sufficient value for purposes of historical or other research, functional documentation, or the protection of individual rights to warrant permanent retention by the Federal Government. These cards have served their administrative purposes. In accordance with the Retention Plan item 4a, representative sampling of these cards will be retained on microfilm.

Item 3 fingerprint cards are duplicate sets of prints. They serve no useful purpose after the retention period.

Item 4 consists of informational-type correspondence relating to deserters returned to military control before being listed or investigated by the Bureau.

Appraiser: D. H. Gersack 6-9-71
D. H. Gersack Date

Approval Recommended: Moyer H. Fishbein 6-9-71
Moyer H. Fishbein Date
Director
Records Appraisal Division

SECRET//
TO: The Director

DATE: 1-13-71

FROM: The Executives Conference

SUBJECT: CONSOLIDATION AND PURGE
CIVIL FINGERPRINT FILE
IDENTIFICATION DIVISION

Callahan _____
Casper _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

On 1-13-71 the Executives Conference consisting of Messrs. Tolson, Mohr, Sullivan, Bishop, Brennan, Adams for Callahan, Casper, Conrad, Felt, Gale, Rosen, Tavel, McDaniel for Walters, and Soyars considered the following matter.

BACKGROUND: The civil fingerprint file is housed on the third floor of the Identification Building and consists of more than 136,000,000 fingerprint cards occupying approximately 47,000 square feet of floor space. The file is broken down into 5 principal sections, Military (43,000,000), Civil Service (19,000,000), Alien (14,000,000), National Defense and Miscellaneous Applicants (54,000,000), and Personal Identification (6,000,000). As personnel have been available in the past we have, on a limited basis, consolidated and purged the file. For example, we have been microfilming and destroying prints in the National Army Section of the Military file (World War One prints not filed by classification), which contains 4,250,000 prints. This project is about 66% complete. Further, the Prisoner of War file, which contained approximately 358,735 prints, was recently destroyed with Archival approval. With the Director's approval, we have been purging the National Defense section of the file of persons 75 years of age and older, and approximately 5,413,890 of these prints have been tabbed for destruction. As a regular procedure we have long microfilmed and destroyed deceased prints (both civil and criminal) after 10 years from date of death.

PROPOSALS: The Bureau's budget request for fiscal year 1972 contains 274 employees earmarked for consolidation of the civil file and, if this request is approved, we intend to proceed with the following policy for implementation of this project:

1. The National Defense portion of the file contains fingerprints of individuals taken in connection with civilian national defense work during World War Two and comprises almost one-third of our entire civil file (45 million). In 1957 the Bureau to retard the growth of the civil file, established a policy of not retaining new prints submitted in this category, i. e., non-Federal applicants. Thus, no additional prints have been added to the file since 1957. We propose to destroy this file and the index

1 - Mr. Beaver
1 - Mr. Casper

NEM:hs
(5)

CONTINUED - OVER

is applicable to it. The prints were submitted initially to determine whether or not individuals had arrest records in order that they might be considered for national defense employment. This purpose has been served. The only additional purpose that would be served by retaining these prints would be to establish identity in unknown deceased, amnesia victim or missing person cases. Activity in this file is practically nonexistent. Authority to proceed with this proposal rests with the Bureau. The Conference unanimously agreed to this proposal.

2. We propose to destroy the fingerprint cards of all individuals in the remaining sections of the civil file who are 75 years of age and older. Activity in this section of the civil file is practically nil. In order to proceed with this proposal we would need the concurrence of the agencies involved, such as Immigration and Naturalization Service (INS) for alien prints, Civil Service Commission (CSC) for Civil Service prints, and branches of the military for military prints. We would also need Archival approval. The majority of the Conference, consisting of Messrs. Tolson, Rosen, Gaia Brennan, Sullivan, Soyars, Tavel and McDaniel, agreed with this proposal. The minority, consisting of Messrs. Mohr, Adams, Bishop, Casper, Felt and Conrad, were of the opinion that the age limit should be 80 rather than 75.

3. We propose that the remaining fingerprints in the civil file be consolidated and in those instances where more than one fingerprint card is found on the same individual that only one card be retained and the remaining cards destroyed. A record of the prints destroyed would be retained in our Card Index Section for future reference. The consolidated index card would show dates taken and sources of duplicate prints destroyed. If this procedure is adopted, we will have on file at least one fingerprint card for each individual represented in our civil file. In order to proceed with this proposal we will need concurrence from the agencies involved, including INS, CSC, and the branches of the military as well as Archival approval. Conference unanimously agreed with this proposal.

If these proposals are adopted and personnel provided to carry them out, upon completion of the project we would destroy at least 67,000,000 civil fingerprint cards which would result in the savings of more than 23,500 square feet of floor space or approximately 50% of the civil file and space it now occupies. We estimate completion of the project in 10 years, or an average saving of 2,350 square feet of floor space per year. In addition to the savings in floor space, benefits would be realized from savings in search and locate time. If the proposals are approved, the Identification Division will proceed to contact the other agencies to obtain their concurrence.

Respectfully,
For the Conference

Clyde Tolson

The Attorney General

January 21, 1971

Director, FBI

**CONSOLIDATION AND PURGE
OF CIVIL FINGERPRINT FILE
IDENTIFICATION DIVISION**

Our civil fingerprint file serves as a repository for the fingerprints of United States Government employees, military personnel, aliens and those taken in connection with national defense positions and for personal identification. This file now contains more than 187,000,000 fingerprint cards and it may be duplicates as a result of multiple fingerprinting in above categories. We propose to utilize the 274 employees requested in our 1st/2 fiscal year budget to consolidate and purge this file in the following manner:

- (1) Destroy the fingerprints of individuals taken in connection with civilian national defense work during World War II. Because our records (22,000) were submitted initially to determine whether or not the individuals in the records were spies, this purpose has been served. The only justification for holding onto these prints would be in establishing identity in unknown cases of amnesia victims or missing person cases. Such activity is practically redundant.
- (2) Destroy the fingerprint cards of all individuals 70 years of age and older that were submitted by the Compensation and Interpretation Service, the Civil Service Commission, and the Department of Defense.
- (3) Consolidate the remaining fingerprint cards in file from the above agencies of individuals less than 70 years of age, keeping one set of fingerprints and destroying the duplicates. A record will be maintained of those destroyed, thereby preserving a history of prints submitted by United States Government agencies. It should be noted that the fingerprints of persons submitted by those agencies for illegal activities and those included with an arrest record in our files are not involved in these proposals.

BEP:ed

(6)

(See note page 2)

The Attorney General.

We are in the process of contacting the Department of Defense, the Civil Service Commission, and the Immigration and Naturalization Service for their concurrence with above proposals. Following this we will seek archival approval; however, before doing so your concurrence with above proposals would be appreciated.

1 - The Deputy Attorney General

Proposals

NOTE: These approvals approved by the Director. See Executives Conference memorandum 1-13-71 captioned: CONSOLIDATION AND PURGE CIVIL FINGER-PRINT FILE, IDENTIFICATION DIVISION. The Department, as well as the appropriate agencies, is being advised and concurrence sought.

Director
Federal Bureau of Investigation

January 25, 1971

The Attorney General

Consolidation and purge
of civil fingerprint file
Identification Division

This is in response to your memorandum of January 21, 1971, with regard to the FBI's civil fingerprint file.

The proposals in your memorandum for the consolidation and destruction of fingerprint cards have my approval.

UNITED STATES GOVERNMENT

Memorandum

TO : Director, Federal Bureau of Investigation
Department of Justice

CO 105.7-P

DATE: February 8, 1971

FROM: E. A. Loughran, Associate Commissioner
Management, Immigration & Naturalization Service

SUBJECT: Consolidation and Purge of Civil Fingerprint File, FBI Identification
Division.

In response to your memorandum of January 21, 1971, you are informed
that this Service has no objections to the proposal and believes
the changes would be beneficial.



Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

The Commissioner
Immigration and Naturalization Service
Director, FBI

January 19, 1971

CONSOLIDATION AND PURGE
OF CIVIL FINGERPRINT FILE
FBI IDENTIFICATION DIVISION

We are considering the following two proposals designed to enhance the searching efficiency of the civil fingerprint file now containing more than 137,000,000 fingerprint cards and to make available badly needed space for expansion purposes. It should be noted that the fingerprints of aliens submitted in connection with illegal activities or identified with arrest records in our files are not involved in these proposals.

(1) Purge and destroy the fingerprints of individuals 75 years of age and older from this file.

(2) In instances where this file contains more than one set of fingerprints of individuals less than 75 years of age, that one set be retained and all duplicates destroyed. We would retain a record of the duplicates destroyed by means of entries on our index cards.

Your comments with respect to fingerprints submitted by your agency would be appreciated, as well as your concurrence with above proposals.

BEP:ed
(6)

NOTE: This correspondence is the result of Director's approval of Executives Conference memo 1-13-71 captioned: CONSOLIDATION AND PURGE CIVIL FINGERPRINT FILE, IDENTIFICATION DIVISION. NEM:hs

~~SECRET~~

BIRCH BAYH, IND., CHAIRMAN
BARRY GOLDWATER, ARIZ., VICE CHAIRMAN
ADLAI E. STEVENSON, ILL.
WILLIAM D. HATHAWAY, MAINE
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GARY HART, COLO.
DANIEL PATRICK MOYNIHAN, N.Y.
DANIEL K. INOUYE, HAWAII

CLIFFORD P. CASE, N.J.
JAKE GARN, UTAH
CHARLES MCC. MATHIAS, JR., MD.
JAMES B. PEARSON, KANS.
JOHN H. CHAFEE, R.I.
RICHARD G. LUGAR, IND.
MALCOLM WALLOP, WYO.

ROBERT C. BYRD, W. VA., EX OFFICIO
HOWARD H. BAKER, JR., TENN., EX OFFICIO

WILLIAM G. MILLER, STAFF DIRECTOR
EARL D. EISENHOWER, MINORITY STAFF DIRECTOR

United States Senate

SELECT COMMITTEE ON INTELLIGENCE

(PURSUANT TO S. RES. 400, 94TH CONGRESS)

WASHINGTON, D.C. 20510

December 1, 1978

Re: Webster
FEDERAL GOVERNMENT

IN REPLY PLEASE
REFER TO Q. # 16401

DECLASSIFIED BY SP-16SK/JHF

ON 9/10/84

*See explanation for Declass on
addendum dated 9/7/84.
Compt. # 81, 202 and 190-21485.*

The Honorable William H. Webster
Director
Federal Bureau of Investigation
Washington, D.C. 20535

Dear Judge Webster:

In connection with our continuing inquiry into the John Paisley matter, there is some additional information which I would appreciate your making available to us.

1. In view of the questions which have been raised by Mrs. Paisley concerning the identification of her husband's body, we would like to have copies of all the fingerprint cards and fingerprint registration cards which were located, examined and/or prepared in connection with the Bureau's recent Paisley fingerprint identification work, including, of course, the final report which was prepared on this subject for the Maryland State Police. In addition, it would be helpful for us to have copies of all the relevant materials relating to any FBI policies or practices which may have accounted for the purging from FBI files of the John Paisley prints which had been submitted at the time of Mr. Paisley's application for employment by the CIA.

2. We have been informed by officials of the CIA that on September 29, 1978, they were informed that "the FBI opened a kidnapping case" in connection with this matter. If this information is accurate, I would appreciate your providing us with copies of any materials which reflect the predicate and authorization for initiating that inquiry, together with whatever information was developed as a result.

3. We have also been informed by the CIA that on September 28, 1978, the Agency informed the Bureau by memorandum that a Coast Guard official had advised CIA that

L-5297 REC-31

4 JAN 26 1979
L-5297 REC-31

~~SECRET~~

~~SECRET~~

The Honorable William H. Webster
Page Two

December 1, 1978

(a) on the night of Mr. Paisley's disappearance a Soviet vessel was proceeding up Chesapeake Bay, and (b) on the same night there was an unusual amount of communications traffic from the Soviet summer residence on the eastern shore of Chesapeake Bay. Any information which might have been developed by your Bureau with respect to these two allegations would also be helpful.

Your cooperation would be greatly appreciated.

Sincerely,

Birch

Birch Bayh
Chairman

*Bill -
Hope this going well.
Dick*

~~SECRET~~

October 17, 1978

FEDERAL BUREAU OF INVESTIGATION

Honorable Birch Bayh
Chairman *SEN. 78*
Select Committee on Intelligence
United States Senate
Washington, D. C. 20510

1 - Mr. Adams
1 - Mr. Moore
1 - Mr. Mignosa
1 - Mr. O'Brien
1 - Mr. Mintz
2 - Mr. Coulson
1 - Mr. Heller

Dear Mr. Chairman:

This is in response to your letter dated September 26, 1978.

I am happy to offer you the cooperation of the Federal Bureau of Investigation with regard to your Committee investigation of terrorism. Arrangements for your Committee Staff Members to visit our Chicago Field Office and the request for an oral briefing can be made by contacting Special Agent Ronald Heller of our Legal Counsel Division, telephone number 324-4515.

I look forward to working with you and your staff on this topic.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-28-00 BY SP2/AL/PLW

Sincerely yours,

ST-120

REC-83

William H. Webster
Director

11 OCT 31 1978

Initials
NOTE: This has been coordinated with Section Chief Mignosa, CID. The Director authorized the Committee Staff visit to Chicago and an oral briefing on terrorist kidnapping contingency plans, in a Legal Counsel to the Director memorandum dated 10/16/78.

Assoc. Dir. _____ RH/jd (10)

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Dep. AD Inv. _____
Asst. Dir. _____
Adm. Servs. _____
Crim. Inv. _____
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Tech. Servs. _____
Training _____
Public Affs. Off. _____
Telephone Rm. _____
Director Secy. _____

APPROVED: *W.H.W.*
Director
Assist. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____

Adm. Serv. _____
Crim. Inv. *MTSSin*
Ident. _____
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Laboratory _____

Legal Coun. *J.W.*
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Training _____
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BIRCH BAYH, IND., CHAIRMAN
BARRY GOLDWATER, ARIZ., VICE CHAIRMAN
ADLAI E. STEVENSON, ILL.
WILLIAM D. HATHAWAY, MAINE
WALTER D. HUDDLESTON, KY.
JOSEPH R. BIDEN, JR., DEL.
ROBERT MORGAN, N.C.
GARY HART, COLO.
DANIEL PATRICK MOYNIHAN, N.Y.
DANIEL K. INOUYE, HAWAII
CLIFFORD P. CASE, N.J.
JAKE GARN, UTAH
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JAMES B. PEARSON, KANS.
JOHN H. CHAFFEE, R.I.
RICHARD G. LUGAR, IND.
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ROBERT C. BYRD, W. VA., EX OFFICIO
HOWARD H. BAKER, JR., TENN., EX OFFICIO

WILLIAM G. MILLER, STAFF DIRECTOR
EARL D. EISENHOWER, MINORITY STAFF DIRECTOR

United States Senate

SELECT COMMITTEE ON INTELLIGENCE

(PURSUANT TO S. RES. 409, 94TH CONGRESS)

WASHINGTON, D.C. 20510

September 26, 1978

IN REPLY PLEASE
REFER TO Q-5015

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Serv. _____
Crim. Inv. _____
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Training _____
Public Affs. Off. _____
Telephone Rm. _____
Director's Sec'y _____

Honorable William Webster
Director
Federal Bureau of Investigation
J. Edgar Hoover Building
Room 3659
Washington, D. C.

FEDERAL GOVERNMENT

Attention: SA Ron Heller

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/28/00 BY SP/ACM/RW

Dear Judge Webster:

As you know, the Senate Select Committee on Intelligence is engaged in a study of the Bureau's role in combatting terrorism. To aid the Committee in this study, it would be beneficial if designated Committee staff were provided with the following:

(1) A visit to the FBI's Chicago field office in order to interview those Special Agents responsible for the peaceful resolution of the recent attempted takeover of the German consulate by Croatian terrorists. I understand that the FBI response to this terrorist incident is illustrative of the coordination the FBI has with both the State Department and local law enforcement agencies.

(2) An oral briefing describing the FBI contingencies for a terrorist kidnapping in the United States comparable to that which occurred in the Moro case in Italy.

Thomas Crowley and Keith Raffel, who hold full sensitive clearances, have been assigned to pursue the above concerns. On behalf of the Committee, I again thank you and your officers for facilitating the Committee's investigation of terrorism.

ST-120

REC-83 62-116395-711

With best wishes,

11 OCT 31 1978

Birch Bayh

Birch Bayh
Chairman
(Indiana)

CG NOV 22 1978
57 NW 54226

Assistant Attorney General
Office of Legislative Affairs

Director, FBI

SENATE SELECT COMMITTEE
ON INTELLIGENCE

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
(Att: J. Kaul)
1 - Mr. D. W. Moore

October 24, 1978

1 - Mr. W. O. Cregar
1 - Mr. C. G. Sullivan
1 - Mr. R. Hildreth
1 - Mr. J. J. Newman

FEDERAL GOVERNMENT

Reference is made to a letter from Chairman Birch Bayh of captioned Committee dated July 26, 1978, copy attached, requesting information regarding the Iranian Intelligence Service (SAVAK), the Iranian Students Association (ISA), and activities of a Chicago Agent of the FBI in connection with an incident at Chicago, Illinois, on January 18, 1978.

This is the final response to the Committee's inquiry. Enclosed for transmittal to the Committee are an original and one copy of a letter to Senator Bayh and four classified FBI documents. One copy of the letter and enclosures are also enclosed for your information.

Enclosures - 12

| | |
|-------------|-------------|
| MAILED 2 | OCT 26 1978 |
| JJN:bkb b7b | (19) |
| NOTE | |

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-08-00 BY 521 ALW/rew

ENCLOSURE

See letter to Senator Bayh dated 10/24/78, and prepared by JJN:bkb.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
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Telephone Rm. _____
Director's Sec'y _____

MAIL ROOM

EX-130

APPROVED:
W.H. Director (S/HA)
Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____

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Crim. Inv. _____
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Plan. & Insp. _____
Tech. Servs. _____
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Legal Coun. M/H
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Rec. Mgmt. _____
Tech. Servs. _____
Training _____
Public Affs. Off. _____

REC-166-2-116
SECRET MATERIAL ATTACHED

1710
NOV 2 1978

FBI/DOJ

~~SECRET~~

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
(Att: J. Kaul)
1 - Mr. D. W. Moore
1 - Mr. W. O. Cregar
1 - Mr. C. G. Sullivan

October 24, 1978

1 - Mr. R. Hildreth
1 - Mr. J. J. Newman

Honorable Birch Bayh
Chairman
Select Committee on Intelligence
United States Senate
Washington, D. C. 20510

FEDERAL GOVERNMENT

Dear Mr. Chairman:

DECLASSIFIED ON 8/22/01/RW

61 1-28-00

Reference is made to my letters of August 22, 1978, September 5, 1978, and October 17, 1978. (U)

This is the final response to your letter of July 26, 1978, (Q#4147) in which you requested information concerning any illegal activities in the United States by the Iranian Intelligence Service (SAVAK) since FBI memorandum dated April 15, 1977, which was furnished to the Committee. (U)

In order to be as responsive as possible to you in regard to SAVAK activities in the United States, enclosed are the following:

1. A report dateline San Francisco, California, April 22, 1977, classified "Confidential."

2. A report dateline New York, New York, June 27, 1977, classified "Confidential."

3. A report dateline Alexandria, Virginia, June 24, 1977, classified "Confidential."

ENCLOSURE

It should be noted that the enclosed reports concluded our investigation concerning SAVAK and were furnished to the Department of Justice, Criminal

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Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
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Director's Secy. _____

3 JJN:bkb (11)

REC-16

~~SECRET~~

1 NOV 8 1978

1709

SEE NOTE PAGE 3

Classified by 7053
Exempt from GDS, Categories 2 and 3
Date of Declassification Indefinite

ENCLOSURE

1978

MAIL ROOM

FBI/DOJ

~~SECRET~~

Honorable Birch Bayh

4. A teletype from the Dallas Division of the FBI to FBI Headquarters dated October 14, 1977, classified "Confidential," which contains an allegation against SAVAK. (U)

In addition to the allegations contained in enclosed documents, the FBI received information from a highly sensitive source in August, 1977, that SAVAK planned to search the residence of a United States person in Houston, Texas. Investigation was conducted, which included contact with local police departments concerning burglary reports at the residence of the aforementioned United States person. This individual was identified, located, interviewed and could not substantiate the allegation. (NW)

The FBI has received no information concerning SAVAK activities in the Chicago, Illinois, area. The only information available is that contained in FBI memoranda regarding the Iranian Students Association (ISA), which were enclosed with my above-referenced letter dated September 5, 1978. (U)

We are presently conducting a Foreign Agents Registration Act investigation concerning allegations of political activities by unregistered Iranian Government agents in connection with the pro-Shah demonstrations held in Washington, D. C., during November, 1977. These allegations involve information that SAVAK Headquarters in Tehran, Iran, issued instructions in January, 1978, to all SAVAK officers in the United States to organize lobbying groups for the purpose of espousing the interests and policies of the Government of Iran to the American public and Iranian United States residents. The membership of these lobbying groups would be drawn from the various

~~SECRET~~

~~SECRET~~

Honorable Birch Bayh

organizations which participated in the November, 1977, pro-Shah demonstrations. To date, our investigation has determined the source of some of the funds, and the airlines and motels used by the pro-Shah demonstrators. (U)

Sincerely yours,

William J. Webster
Director

Enclosures - 4

1 - Assistant Attorney General
Office of Legislative Affairs (Enclosures - 4)

NOTE:

Above reply to Senator Bayh's letter to the Director dated July 26, 1978, is based upon inquiry concerning SAVAK activities in the U. S. This is the final reply. Interim response was sent to Senator Bayh by letter dated 8/22/78. The Criminal Investigative Division responded to Senator Bayh's inquiry by letter dated 9/5/78. Planning and Inspection Division responded by letter dated 10/17/78. This communication was coordinated with SA John H. Kaul, Legal Counsel Division. (U)

CH/

APPROVED:
Director *WLT* *CH/*
Assoc. Dir. *CH/*
Dep. AD Adm. *CH/*
Dep. AD Inv. *CH/*

Adm. Serv.
Crim. Inv.
Ident.
Intell.
Laboratory

Legal Coun. *m/CH*
Plan. & Insp.
Rec. Mgmt
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~~SECRET~~

Enclosures - 4 for file
Letter to Honorable Birch Bayh
Chairman
Select Committee on Intelligence
United States Senate
10/24/78

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/28/00 BY SP2004/Re

ENCLOSURE

1709

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

~~CONFIDENTIAL~~Report of: V. STEWART DALEY
Date: 4/22/77

Office: San Francisco, California

Field Office File #: 105-31500

Bureau File #:

Title: ALLEGED ILLEGAL ACTIVITIES OF IRANIAN
NATIONAL SECURITY AND INTELLIGENCE
ORGANIZATION (SAVAK) AGENTS IN THE UNITED STATES X(u)Character: FOREIGN AGENTS REGISTRATION ACT - IRAN X(u)

Synopsis:

Contact with San Jose State University Police Department determined that the opposition to REZA BARAHENI's speech on 3/16/76, was by 250 Iranian students from the ISA who consider BARAHENI to be an Agent of SAVAK. SF indices negative on DARIA BAKHTIARIHA. Record checks at Berkeley, California, determined BAKHTIARIHA was a student at Armstrong College from 1/72 to 2/76. BAKHTIARIHA was murdered on 2/20/76, in Oakland, California, at 4:25 a.m. while being robbed by two men who had moments before murdered another individual and wounded a third in the course of a robbery and burglary. The responsibles were identified, arrested and convicted for these offenses. A representative of the ISA advised BAKHTIARIHA was not a member of the ISA. *u*

- RUC -

PROCESSED BY SP2A LM/ew
ON 7/28/00DETAILS:

APPROPRIATE AGENCIES
AND DIVISIONS
APPROPRIATE DIVISION
SLIP(S) OF Classification
DATE 8/3/78 113/meg

Classified by 3882
Exempt from CDS, Category 2
Date of Declassification Page definite
5/23/88 145/19

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SF 105-31500
VSD/lb

The following investigation was conducted at San Jose, California, by SA JOHN W. ZENT, JR.: U

An Offense Report was made available by the San Jose State University (SJSU) Police Department concerning a demonstration that took place at SJSU on March 16, 1976, wherein the ISA, San Jose, California, disrupted a public forum presented by the Committee for Artistic and Intellectual Freedom in Iran (CAIFI). A leaflet published under the letterhead of the ISA, Northern California, entitled "Who is REZA BARAHENI?, a Traitor", was also furnished. The public forum had scheduled prominent speakers, including DANIEL ELLSBERG, JESSICA MITFORD, KAY BOYLE and Dr. REZA BARAHENI. The ISA protested the presence of REZA BARAHENI, who claims to be an Iranian National and a former political prisoner in Iran. The ISA claimed BARAHENI is actually an Agent of SAVAK, the Iranian Secret Police. U

The report indicates that some 200 to 250 Iranian students disrupted the public forum with chanting and shouting, as well as destruction of CAIFI literature. The SJSU Police Department advised the representatives of CAIFI and BARAHENI beforehand that they had received an indication of this planned demonstration and advised BARAHENI that some threats against his personal safety had been rumored. Based upon this, BARAHENI declined to appear at the forum, but the ISA demonstrators remained and shouted over the voices of the other speakers who gave their addresses as scheduled. The basis of the Police Department's concern was previous ISA demonstrations at various locations throughout the United States where BARAHENI has spoken in the past. Other demonstrations and disruptions occurred on January 9, 1975, at the University of California at Berkeley (UCB), at Boston, Massachusetts, on February 27, 1975, and at Austin, Texas, on February 5, 1976. U

The SJSU Police Department, in an effort to prevent any hostilities at the forum, made an effort to contact representatives of the ISA; namely, the President of U

SF 105-31500
VSD/lb

the ISA National Organization, ISA - USA (see Appendix) at SJSU, MOHAMMAD TAHER, who accused them of police harassment and was extremely hostile and refused to discuss the demonstration. *u*

The above-mentioned leaflet challenged the legitimacy of BARAHENI being "freed from prison", and alleged that he appeared on the Iranian National television, a state controlled media, and subsequently attacked all progressive movements and revolutionary leaders of the Iranian people and praised the regime of the Shah of Iran. *u*

A search of the indices of the San Francisco Division fail to locate any information identifiable with DARIA BAKHTIARIHA. *u*

SF 105-31500
VSD/lb

The following investigation was conducted at Berkeley, California, by SA V. STEWART DALEY: u

A search of the records of the Berkeley Police Department on April 13, 1977, located a offense report dated 11/12/75, which reported the theft of a license plate from the automobile of DARIA B. BAKHTIARIHA, which revealed him to be a student at Armstrong College, Berkeley, California, who is a citizen of Iran, born July 5, 1950, who resides at 1290 Apartment 39, Hopkins Street, Berkeley, California. u

It was determined from Armstrong College, Berkeley, California, on April 13, 1977, that DARIA B. BAKHTIARIHA was an Undergraduate Student at that institution, studying Accounting and Business Administration from January, 1972, until February, 1976, when he failed to attend further classes. u

On April 14, 1977, a copy of a California driver's license in the name of DARIA BAKHTIAR BAKHTIARIHA, with the address of 2535 College Avenue, #309, Berkeley, California. The license bears the description of a male born July 5, 1950, single, hair - black, eyes - brown, height - 5' 11", weight - 137 pounds, Social Security Account Number 549-98-1341. The driver's license also contains BAKHTIARIHA's photograph. u

On April 14, 1977, it was determined from the management of the apartment building at 1290 Hopkins Street, Berkeley, California, that DARIA BAKHTIARIHA had been a tenant at that location up until early 1976, when he was killed in Oakland, California, during the commission of a robbery or burglary. u

On April 18, 1977, the records of the Oakland Police Department were reviewed regarding the death of DARIA BAKHTIARIHA. A review of the investigation determined the following information: u

SF 105-31500
VSD/lb

At 4:25 a.m. on February 20, 1976, DARIA BAKHTIARIHA was exiting his automobile in the 6300 block of Racine Street, Oakland, California. Moments before, two unknown Subjects forced their entry into the bathroom window of a groundfloor apartment at 540 Alcatraz Street, Oakland, California, which is around the corner from the location of BAKHTIARIHA's car, and a total of two blocks away. Upon gaining entry to the apartment, the responsibles bound the neck, hands and feet of the occupant of the apartment, PETER LEE KENFIELD, and tied a pillowcase over his head. The result was that KENFIELD died of asphyxiation. The responsibles ransacked his apartment, and as was later determined from friends of KENFIELD's, removed a calculator and .22 caliber pistol from KENFIELD's belongings. The two reponsibles then moved to the apartment next door, where they attempted to force entry, but were denied at the front door by the occupant, RAYMOND STEWART, whom they wounded in the leg by firing four bullets through the front door with KENFIELD's pistol. The two then exited the apartment building, and en route to their residence, approximately three blocks away, came directly in contact with BAKHTIARIHA, who was exiting his car at that time. They approached BAKHTIARIHA, robbed him at gunpoint, and shot him in the stomach and back. BAKHTIARIHA then staggered to the intersection of Racine and Alcatraz Street, where he collapsed on the sidewalk. A resident, who was first on the scene, was told by BAKHTIARIHA that he had been robbed and shot by two Negro males. BAKHTIARIHA died at a nearby hospital shortly after his arrival. *JK*

A crime-scene search located a thumbprint on the bathroom window at the point of entry. Subsequent investigation determined the identity of the missing calculator and pistol and dissemination of this information to the patrol officers and burglary unit resulted in the matching of KENFIELD's calculator to a calculator recovered in connection with an investigation of a burglary on February 24, 1976, at 685 63rd Street, Oakland, California, which is two blocks away from the site of KENFIELD's and BAKHTIARIHA's murder. Arrested for this burglary was JOHN M. HARTWAY, JR., Negro male, born January 27, 1954, and an accomplice. HARTWAY's fingerprints matched with the print recovered at KENFIELD's apartment. A trace of the recovered calculator found in HARTWAY's possession from its time of manufacture, verified that it was purchased by KENFIELD. The *LL*

SF 105-31500
VSD/lb

bullets recovered from BAKHTIARIHA's body were found to be identical to the bullets fired through the door of STEWART's apartment. The revolver was never recovered. U

JOHN HARTWAY was convicted by a jury in the Superior Court of the State of California, the County of Alameda, on August 16, 1976, for one count of Murder in the First Degree, two counts of Burglary in the First Degree, one count of Robbery in the First Degree, and one count of Assault with a Deadly Weapon in the first degree. A prior conviction was dismissed and a motion for a new trial was denied, as was a motion for probation. HARTWAY was sentenced on September 14, 1976, to serve consecutive sentences for his convictions on burglary, robbery and assault, with those sentences to run concurrently with the sentence imposed for murder. He was delivered to the custody of the Sheriff of Alameda County for transmittal to the California Medical Facility, Vacaville, California, from where he will be further transported to a state prison. U

It was determined from Sergeant LEW MACE, Oakland Police Department, the investigating officer, that it was the decision of the prosecuting attorney not to prosecute HARTWAY for the robbery and murder of BAKHTIARIHA because of his confidence that their case against HARTWAY for the murder of KENFIELD was sufficient for conviction, and because without the gun used to kill BAKHTIARIHA, their case against HARTWAY for that murder was circumstantial, although strongly so. U

On April 19, 1977, MAHMOUD KHOSSOUSSI, 1290 Hopkins Street, Apartment 39, Berkeley, California, a known leader of the Nationalist faction of the ISA in Northern California, Subject of SF 105-40750, was contacted and advised as follows: U

He moved in to his apartment after BAKHTIARIHA was killed and did not know him personally, but does know that BAKHTIARIHA was never a member of the ISA. U

IRANIAN STUDENTS ASSOCIATION (ISA)
CHARACTERIZATION OF SUBVERSIVE ORGANIZATION
INTERNAL SECURITY - IRAN

The Iranian Students Association (ISA) in the United States is described in its own literature as a member of the World Confederation of Iranian Students (WCIS). Founded in 1958, WCIS is a student federation active in the United States, Europe, Turkey and the USSR. It is dedicated to the defense of Iranian "political prisoners" and opposed to the Government of the Shah of Iran. WCIS is governed by the communist concept of "democratic centralism" and supports the National Front, and Iranian political party opposed to the Shah's government.

Due to a severe factionalism, the ISA is divided into two main factions: the (Marxist) Communist and National Front factions.

The (Marxist) Communist faction is opposed to armed struggle and guerrilla activity at the present stage. They cling to the orthodox Marxist view that the revolutionary consciousness of the peasants and workers must be raised before the revolution can succeed. They insist the only way to revolution is to follow the teachings of Marx, Lenin and MAO Tse-tung. They want to build alliances with revolutionary groups of other nations to present a broad united front against imperialism.

The National Front faction takes the position of the necessity of guerrilla warfare and terrorism as the first phase of the anti-imperialist revolution and calls for this type action now. The National Front rejects the concept of an international alliance of revolutionaries, arguing that their goal is revolution in Iran and the revolution is to be uniquely Iranian.

The ISA, with chapters located at various campuses in the United States, is composed generally of Iranian aliens who have been admitted to the United States as students. They are united in their denunciation of the Shah of Iran as a puppet of United States imperialism. Activities in the United States are primarily confined to demonstrations against the Shah of Iran and "United States Imperialism." Members of the ISA have also attacked Iranian diplomats and Iranian facilities in the United States.

APPENDIX

~~CONFIDENTIAL~~ 7*-

Classified by _____
Exempt from CDS, Category _____
Date of Declassification Indefinite _____

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

CONFIDENTIAL

Copy to:

Report of: EDWARD H. MADDEN Office: New York, New York
Date: June 29, 1977Field Office File #: 97-2755 Bureau File #: 134-11279 *3C*Title: ALLEGED ILLEGAL ACTIVITIES OF IRANIAN
NATIONAL SECURITY AND INTELLIGENCE
ORGANIZATION (SAVAK) AGENTS IN THE UNITED STATES

Character: FOREIGN AGENTS REGISTRATION ACT-IRAN

Synopsis: There is no reason to believe that a large barn built by MANSUR RAFIZADEH at Boonville, NY, is anything but a dairy barn. Circumstances surrounding confrontation between two unidentified men suspected of being Iranians and HERMAN H. FELLER of Valley Stream, NY, set forth. REZA BARAHENI denies being a SAVAK agent and has no knowledge of SAVAK activity in the US. *(S)*

- P -

DETAILS:It is noted that MANSUR RAFIZADEH, Attaché, Iranian Mission to the United Nations, has purchased a dairy farm in Boonville, New York, upon which he has built a barn. As previously reported, it has been alleged that this barn could be used for some clandestine activity. *(XW)*11-28-80
MDL16 SP3 ALM/RW
11-5-99
CLASSIFIED BY: *SP TCI/J*
REASON: 1.5 (C)
DECLASSIFICATION: *5/24/88 X*

#85-1034, 85-1195, 85-1646

11-28-80
Classified by: *SP TCI/J*
Exempt from GDS, Category 3
Date of Declassification: Indefinite
5/24/88 X

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NY 97-2755

JRH:saj

The following investigation was conducted by
SA JAMES R. HUTCHESON: (u)

On April 29, 1977, Chief of Police, DONALD KENT, Boonville, New York, furnished the following information: (u)

He has no reason to believe that the large barn built by MANSUR RAFIZADEH and located south of Boonville on Route 12, is anything but a dairy barn. He does not believe the barn is finished, but he has heard rumors that cows will be in the barn by the summer of 1977. He noted an area resident and friend, ROBERT GROWLER is in charge of construction and will manage the farm when it is completed. He noted GROWLER is one of the very best dairy farmers in the area and that GROWLER had lost his own farm to a fire. Chief KENT noted there has been a lot of speculation concerning the size of the barn. He noted, however, that it is common knowledge that only large dairy operations are profitable and that RAFIZADEH probably took GROWLER's advice concerning the size of the dairy operation and barn. KENT said the RAFIZADEH family has purchased land and made investments in the Boonville area because they are friendly with RAYMOND DURR, a Boonville attorney. He said that DURR is RAFIZADEH's attorney and that DURR has made annual expense paid trips to Iran on behalf of the RAFIZADEH family. (X)(u)

It is noted the above described barn is an imposing and highly visible structure set back approximately 300 yards from Route 12. (X)(u)

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CONFIDENTIAL

NY 97-2755

On June 17, 1977, NASSER AFSHAR, 1001 North Terrillo Street, Alexandria, Virginia, telephonically contacted the Alexandria Office of the Federal Bureau of Investigation (FBI) and advised that HERMAN HARVEY SELLER, who owns a small chemical plant at Valley Stream, New York, had advised him that on Tuesday, June 14, 1977, two men came to his office and inquired if he was acquainted with AFSHAR. When he replied that he was, the two men began to beat him with their fists. Police responded to a burglar alarm which SELLER had activated and arrested the two men. SELLER swore out a warrant charging them with assault. One of these men made a telephone call. Within five minutes, CIA telephonically contacted the Chief of Police in Valley Stream, and asked him to convince SELLER not to press charges. At the urging of the Valley Stream Chief of Police, SELLER dropped the charges and the two men were released. 

There is no Valley Stream Police Department. The Nassau County police Department has police jurisdiction in Valley Stream, NY.

On June 23, 1977, Sergeant RICHARD PASSANO, 5th Precinct, Nassau County Police Department, 1615 Dutch Broadway, Valley Stream, New York, which covers the village of Valley Stream, reviewed the "blotter" which is a record of all activity in that precinct on June 14, 1977. No reference to the incident outlined above could be found. 

FEDERAL BUREAU OF INVESTIGATION

CONFIDENTIAL

6/29/77

Date of transcription

HERMAN H. FELLER, 3111 Brighton First Place, Brooklyn, New York (NY) furnished the following information:

He is the President of Feller Chemical Corporation, Rodex International, Ltd., Shock-M-All Incorporated and Ultrason International. All of these firms are located in a one-room office on the ground floor in a resident apartment complex at 220 West Merrick Road, Valley Stream, NY (telephone number (516) 825-2424). He also maintains post office box 272, Valley Stream, in the name of Shock-M-All Incorporated.

Feller Chemical Company which dealt primarily in insecticides is a dormant organization, because Mr. FELLER is devoting his full time to marketing a device which is attached to the baseboard of a room and electricutes cockroaches and other crawling insects which crawl into the device. Mr. FELLER demonstrates this device by attaching it to the inside of a display box. Into the box, Mr. FELLER places live roaches which he breeds in his office for this purpose.

Mr. FELLER has patented this device and is attempting to develop distributors for it, but to date, has been unable to establish any distributorships. He is also negotiating with various people to have the device manufactured.

Ultrason International was displaced by Rodex International, Ltd., which markets an ultrasonic rodent repeller. Mr. FELLER explained that this machine chases rats and other rodents by use of an ultrasonic sound. The rodents attempt to find a new area to colonize, which area is usually inhabited by other rodents. The ensuing fight between these two groups of rodents usually results in the rodents killing off each other to the extent of about 80 percent.

Interviewed on 6/27/77 at Valley Stream, NY File # NY 97-2755

by EDWARD H. MADDEN/ EHM:dco

Date dictated

6/28/77

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Mr. FELLER explained that he is frequently alone in his office as his only employee, who does clerical work and works only part time, usually works three days a week.

On one such occasion, at approximately 1:45 in the afternoon about two weeks ago, two men entered the office and announced they were there to ask some questions. Mr. FELLER asked them to identify themselves. They ignored this request and stated that they had some questions concerning NASSAR AFSHAR, an Iranian residing in the Washington, D.C. area, who was an acquaintance of FELLER's.

Mr. FELLER told these men that if they wanted information concerning AFSHAR, they should ask AFSHAR.

Mr. FELLER described one of these men (referred to as unman #1) as about 5 feet 6 inches tall, 150 pounds, stocky, muscular build. The other man (referred to as unman #2), is 5 feet 10 inches tall, 150 pounds, slender build. They both appeared to be in their 40's. Although they did not resemble AFSHAR, they did possess some of the same general characteristics and therefore, Mr. FELLER assumed they were Iranians. AFSHAR is the only other Iranian Mr. FELLER ever met.

Unman #2 seemed to be in charge.

When Mr. FELLER declined to answer their questions, they then assumed a threatening attitude. At this point, Mr. FELLER explained to the men that his office was equipped with a burglar alarm system which was connected with the Valley Stream Police Department and the police would respond immediately to the alarm and probably shoot the two men if they caused any trouble. Mr. FELLER also stated that he could use his telephone to communicate directly with Nassau County Police Department cars, which might be in the area.

Unman #1 had some kind of a "tool with three pins" in his hand with which he hit Mr. FELLER on the right shoulder, breaking his skin in three places. Mr. FELLER, in turn, picked-up a Shock-M-All transformer (a metal box approximately 2 inches by 3 inches, weighing

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one and three-fourths pounds), and hit unman #1 on the forehead, causing profuse bleeding. Mr. FELLER told the men to get out of his office or he would call the police.

At this point, unman #2 assumed a more peaceful attitude and tried to quiet Mr. FELLER and unman #1. He asked permission to make a collect telephone call which Mr. FELLER agreed to. He spoke in a foreign language to an individual unknown to Mr. FELLER for a few seconds and then handed the telephone to Mr. FELLER. The man at the other end of the line, who spoke excellent English, did not give his name, but told Mr. FELLER that he was from the Iranian Embassy. He apologetically explained that a mistake had been made and the two men had no right to be there. He asked Mr. FELLER to please excuse their actions to which Mr. FELLER replied that he would press charges against them. He gave the telephone back to unman #2. After saying a few words, he hung up and told Mr. FELLER that they would leave immediately and offered to pay cash for any damages they may have caused. Mr. FELLER told them to get out of his office.

Mr. FELLER did not push the alarm button nor did he communicate with any police agency in any way.

Mr. FELLER explained that he first met NASSAR AFSHAR in 1955 or 1956, when he (AFSHAR) was in the import-export business with an office in the Empire State Building, New York City. Mr. FELLER was instrumental in arranging for AFSHAR to meet certain people and to arrange for a contract between these people and the government of Iran in some sort of deal pertaining to the exporting of over 40,000,000 barrels of oil over a three year period. AFSHAR received a commission on this contract. Mr. FELLER and AFSHAR have recently renewed their friendship.

After these two unknown men left Mr. FELLER's office, he called AFSHAR on his private telephone in Washington, D.C. and advised him of the above incident. They speculated as to how the two men could have connected Mr. FELLER with AFSHAR and concluded that AFSHAR's phone was probably tapped and their conversations had been overheard.

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REZA BARAHENI, 150 West 225th Street, Bronx, New York, was recontacted on April 7, 1977, in connection with an allegation that an Iranian student in Paris had stated that "his group" had planned to kill BARAHENI, as he was considered to be an agent of the Iranian Government.

BARAHENI denied being an Savak agent. He explained that members of the Iranian Student Association (ISA), which also has a "anti-Shah" philosophy, dislike him because as a result of his speech making and writing, he has received substantial media attention in the past three years, while the ISA have demonstrated against the Shah for years with little or no success. He also speculated that Savak had infiltrated the ISA.

(L)
X

BARAHENI has not been threatened or harrassed by Savak agents and has no knowledge of any activity on the part of Savak in the United States.

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION~~CONFIDENTIAL~~

Copy to:

Report of: SA WILLIAM J. DILLON III Office: Alexandria, Va.
Date: 6/24/77

Field Office File #: AX 97-17 Bureau File #: 105-221501

Title: ALLEGED ILLEGAL ACTIVITIES OF
IRANIAN NATIONAL SECURITY AND
INTELLIGENCE ORGANIZATION (SAVAK)
AGENTS IN THE UNITED STATES

Character: FOREIGN AGENTS REGISTRATION ACT - IRAN

Synopsis: NASSER GOTLI AFSHAR, Alexandria, Va., advised that HERMAN HARVEY SELLER, Valley Stream, N. Y., informed him that two men came to his office, inquired if he knew AFSHAR, and then beat him. Above two men arrested by Valley Stream, N. Y., Police Department. ~~(u)~~

- RUC -

DECLASSIFIED BY SP2 ALM/RW
ON 11-28-00DETAILS:On June 17, 1977, NASSER GOTLI AFSHAR, 1001 North Terrill Street, Alexandria, Virginia, editor of the Iran Free Press, telephonically contacted the Alexandria Federal Bureau of Investigation (FBI) office and advised as follows: ~~(u)~~Sometime ago, he, AFSHAR, appeared on the television program "60 Minutes." Shortly thereafter, one HERMAN HARVEY SELLER, whom AFSHAR had been acquainted with approximately ten years ago but had not seen since that time, telephonically contacted him and advised that he had seen him on television and wished to renew old acquaintances. Mr. AFSHAR said SELLER owns a small chemical manufacturing plant at Valley Stream, Long Island, New York, and is manufacturing chemicals mainly for agricultural purposes. Mr. AFSHAR has foreign business contacts and SELLER has recently approached him about representing him in the sale of agricultural chemicals in foreign countries. Mr. AFSHAR said he has had lunch on at least two occasions in New York City with SELLER during which they discussed this possible business arrangement. ~~(u)~~Classified by 3732 2-3
Exempt from GDS, Category 2-3

Date of Declassification Indefinite

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AX 97-17

Mr. AFSHAR said that on June 17, 1977, SELLER telephonically advised him that on Tuesday, June 14, 1977, two men came to his office and inquired if he was acquainted with AFSHAR. SELLER replied that he was and they immediately began to beat him with their fists. SELLER has some sort of burglar alarm in his office which he was able to activate and the Valley Stream, New York, Police appeared on the scene almost immediately and arrested the two men who were beating SELLER. The two men were taken to the Valley Stream Police Department where SELLER swore out a warrant charging them with assaulting him. According to AFSHAR, SELLER said one of these men requested to make a telephone call and was given permission to do so. The person he called is unknown to AFSHAR but SELLER said that within five minutes after this man made the telephone call, the Central Intelligence Agency (CIA) telephonically contacted the Chief of Police of Valley Stream, New York, and asked him to convince SELLER not to press charges against these men. The CIA promised that the men would be deported if the charges were dropped. At the urging of the Valley Stream Chief of Police, SELLER dropped charges and the two men were released. Their present whereabouts and status are unknown to SELLER according to AFSHAR.

Mr. AFSHAR said the above incident disturbs him very much as he feels SAVAK is responsible for the beating of SELLER. Mr. AFSHAR feels that they are attempting to intimidate him through SELLER and he wonders how SAVAK knew of their association.

On June 23, 1977, NASSER AFSHAR, supra, advised the correct telephone number for HERMAN HARVEY SELLER is (516) 825-2424. He furnished the name and address of SELLER's company as Shock M. Oall Company, Post Office Box 272, Valley Stream, New York.

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- 2* -

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R 142130Z OCT 77

FM DALLAS (97-NEWS) (P)

TO DIRECTOR (105-221501) ROUTINE

WFO ROUTINE

BT

EFTO

ATTN: INTD.

ALLEGED ILLEGAL ACTIVITIES OF IRANIAN SECRET POLICE

"SAVAK" AGENTS IN THE UNITED STATES, FOREIGN REGISTRATION

ACT - IRAN.

ON OCTOBER 14, 1977, FRED MC WHORTER, CHIEF, POLICE DEPARTMENT, COLORADO CITY, TEXAS, ADVISED THAT AT APPROXIMATELY 5 AM THAT DATE, AN INDIVIDUAL IDENTIFYING HIMSELF AS NOSRATOLLAH ARBABZADEH-TEHRANI HAD CONTACTED AN OFFICER IN HIS DEPARTMENT OFF OF INTERSTATE 20 HIGHWAY 3 THROUGH COLORADO CITY CLAIMING HE FEARED FOR HIS LIFE AND THAT THE IRANIAN SECRET POLICE WERE TRYING TO KILL HIM. U

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DL 97-NEW PAGE TWO E F T O

ARBABZADEH-TEHRANI HAD IN HIS POSSESSION AN IRANIAN PASSPORT NUMBER 1380161 WHICH INDICATED HE WAS BORN APRIL 10, 1939, IN IRAN AND ENTERED THE UNITED STATES AT NEW YORK CITY, MAY 9, 1977. HE WAS FURTHER DESCRIBED BY CALIFORNIA DRIVERS LICENSE NUMBER N7576054 DATED JULY 1, 1977, TO BE BORN ON APRIL 10, 1939, 5'6", 115 POUNDS, BROWN EYES, BLACK HAIR. HIS ADDRESS WAS SHOWN AS 1234 MC DONALD DRIVE, PINOLE, CALIFORNIA. THE PASSPORT INDICATED HE HAD RECEIVED A B-1 AND B-2 VISA NUMBER 014183 IN TEHRAN, IRAN, ON APRIL 12, 1977. WRITTEN IN INK ALONGSIDE THE ABOVE STAMPED VISA WAS "I-506 FILED AR JUNE 21, 1977 OF A22-465-032." U

ARBABZADEH-TEHRANI WAS INTERVIEWED ON OCTOBER 14, 1977, BY SA JOHN L. SPURGERS, JR. IN THE POLICE DEPARTMENT IN COLORADO CITY AND CLAIMED THAT HE HAD HAD NO PREVIOUS PROBLEMS IN IRAN WITH THE SECRET POLICE, HOWEVER, SINCE HIS ARRIVAL IN THE UNITED STATES, AT SAN FRANCISCO, CALIFORNIA, HE HAS BEEN SUBJECTED TO APPROXIMATELY 100 FOOD POISONINGS, HAS BEEN SHOT WHILE SLEEPING IN BED BY WHAT HE BELIEVES TO BE A LASER BEAM, HAS NEVER OBSERVED OR U

~~SECRET~~

~~CONFIDENTIAL~~

DL 97-NEW PAGE THREE E F T O

IDENTIFIED ANY OF HIS ALLEGED ASSAILANTS AND AS A RESULT OF BEING SUBJECTED TO THIS AND OTHER TYPE HARASSMENT, HAS VISITED VARIOUS GOVERNMENT OFFICES IN SAN FRANCISCO, CALIFORNIA, AND HAS APPLIED THROUGH IMMIGRATION IN SAN FRANCISCO, TO WASHINGTON, D.C. FOR POLITICAL ASYLUM.

HE WAS ALSO TOLD THE ONLY SECURE PLACE FOR HIM WAS IN WASHINGTON, D.C. AND AS A RESULT, HE LEFT SAN FRANCISCO OCTOBER 9, 1977, IN HIS PERSONALLY-OWNED VEHICLE, TRAVELED TO LOS ANGELES, WHERE HE STAYED TWO DAYS AND FROM THERE, TO TUCSON, ARIZONA, WHERE HE STAYED OVERNIGHT AND DIRECTLY TO COLORADO CITY, TEXAS, ARRIVING INSTANT DATE. HE STATED HE HAS BEEN FOLLOWED CONTINUOUSLY SINCE HIS DEPARTURE FROM SAN FRANCISCO AND ESTIMATED THAT HIS FOLLOWERS CHANGE CARS APPROXIMATELY EVERY 10 - 15 MILES ALONG THE ROUTE. AT THE BEGINNING OF THE INTERVIEW, HE CLAIMED THAT HE HAD JUST WALKED OUTSIDE THE POLICE DEPARTMENT AND SOME INDIVIDUAL IN AN AUTOMOBILE PASSED BY AND SAID TO HIM IN PERSIAN THAT "THEY WON'T HELP YOU EITHER". HE *h*

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DL 97-NEW PAGE FOUR E F T O

WAS CLOSELY QUESTIONED REGARDING ALL OF HIS ACTIVITIES AND THE IDENTITY OF PERSONS HARASSING HIM INCLUDING THE INCIDENT JUST PRIOR TO HIS INTERVIEW AND HE COULD NOT GIVE ANY INFORMATION WHICH WOULD AID IN THEIR IDENTIFICATION. HE INDICATED HE INTENDS TO LEAVE COLORADO CITY MOMENTARILY AND TRAVEL TO DALLAS, TEXAS, AND THEREAFTER BY SOME MEANS TO WASHINGTON, D. C. (u)

DALLAS INDICES FAILED TO DISCLOSE ANY INFORMATION IDENTIFIABLE WITH ARBABZADEH-TEHRANI. (u)

ADMINISTRATIVE - DUE TO THE ABOVE REMARKS BY ARBABZADEH-TEHRANI, IT APPEARS THERE IS NO FOUNDATION FOR FURTHER ACTION BY THE DALLAS OFFICE, THEREFORE, NO ACTION IS BEING TAKEN NOR LHM BEING SUBMITTED.

ABOVE BEING FURNISHED TO WFO AS ARBABZADEH-TEHRANI HAS INDICATED HIS DESTINATION IS WASHINGTON, D.C., AND HE MAY CONTACT WFO OR COME TO THEIR ATTENTION. (u)

FOR INFORMATION, ARBABZADEH-TEHRANI HAS BEEN FINGERPRINTED AND PHOTOGRAPHED BY THE COLORADO CITY, TEXAS, POLICE DEPARTMENT AND THE FINGERPRINTS AND PHOTOGRAPHS ARE BEING MAINTAINED BY THEM. (u)

BT

#

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Mintz
(Attn: Mr. Coulson)

FROM: Mr. E. Joseph

SUBJECT: SENATE SELECT COMMITTEE
ON INTELLIGENCE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

DATE: 5/11/78

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgmt. _____
Tech. Servs. _____
Training _____
Public Affs. Off. _____
Telephone Rm. _____
Director's Sec'y _____

The Training Division can explain to the Committee the Anti-Sniper and Survival Training provided for local police officers at the Academy and by our field offices. The Training Division will also explain the hostage negotiations provided to local police officers and the conferences which have been held around the country concerning terrorist activities. The SWAT team training provided to our Agents and the hostage negotiations training provided to the Agents can also be explained to the Committee.

It should be noted that for the Committee to observe SWAT team training it will require some coordination as the teams are not constantly being trained at the Academy.

The other areas that the Committee wants to study should be discussed with the responsible divisions, such as the Laboratory and Criminal Investigative Divisions.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-29-00 BY SP/AL/HR

EX-135

REC-65

60-116375-1708

JUN 13 1978

HDS:Kvb
(3)

LEGAL COUNSEL

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. T. W. Leavitt *TWL*

FROM : R. J. Gray, Jr. *RGJ*

SUBJECT: APPEARANCES BEFORE SENATE
AND HOUSE SELECT COMMITTEES
ON INTELLIGENCE

PURPOSE:

To recommend priority attention be given to preparation of video tapes which are to support presentations before Senate and House Select Committees on Intelligence during January and February, 1978.

DETAILS:

During early February, 1978, an appearance by either Deputy Associate Director James B. Adams or Assistant Director T. W. Leavitt is planned before the Senate Select Committee on Intelligence; in addition, the House Select Committee on Intelligence will be similarly briefed in the near future. In order to dramatize graphically the constant threat to national security posed by Hostile Intelligence Services, a video-tape presentation of approximately 20 minutes is felt to be most desirable. Senate staff members have specifically requested such a film as one of the most effective ways to dramatize our problems for the Senators.

At the present time, the Instructional Technological Services Staff, Training Division, have advised the Intelligence Division (INTD) they have a number of important projects; but, in view of the short deadlines for the preparation of a suitable presentation, INTD believes that this project should be given priority status.

RECOMMENDATION:

That the Instructional Technological Services Staff, Training Division, provide priority service to INTD project. *RECOMMENDATION*

APPROVAL

| | | |
|--------------|--------------|---------------|
| Director | Asst. Dir. | Adm. Serv. |
| Asst. Dir. | Intell. Inv. | Legal Coun. |
| Dep. AD Adm. | Dep. AD Inv. | Plan. & Insp. |
| Dep. AD Inv. | Laboratory | Rec. Mgmt. |

RGJ

Asst. Dir. _____
Adm. Serv. _____
Crim. Inv. _____
Fin. & Pers. _____
Ident. _____
Intell. *RGJ* _____
Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgmt. _____
Spec. Inv. _____
Tech. Servs. _____
Training *RGJ* _____
Public Affs. Off. _____
Telephone Rm. _____
Director's Sec'y _____



Expedite to *RGJ*
Priority processing
Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan
XEROX
1978

1 - Mr. R. J. Gallagher
1 - Mr. T. W. Leavitt
1 - Mr. J. O. Ingram

Mr. R. J. Gallagher

11/29/76

J. C. Deegan

1 - Mr. L. J. Brune, Jr.
1 - Mr. S. F. Phillips
1 - Mr. R. L. McLanahan

GEORGE ALBERT LAWTON, JR.

SUBVERSIVE MATTER - COMMUNIST PARTY, ALL INFORMATION CONTAINED
USA (CPUSA)

HEREIN IS UNCLASSIFIED
DATE 11-28-00 BY SP2A/cj/PR

PURPOSE: To advise concerning results of a review of this case for a determination as to whether investigation is warranted under the Espionage-X statutes.

SYNOPSIS: While conducting an applicant investigation on 4/9/76, WFO determined from the landlord of captioned subject that he had seen pictures of Joseph Stalin and Fidel Castro hanging in subject's apartment. Also observed were communist literature and what appeared to be CIA reports in paperback form under subject's bed.

According to this landlord, subject used to live in Chile but was deported and is presently employed as a staff member with the Senate Select Committee on Intelligence Activities (SSCIA).

In discussing this matter with the Department, it was learned that a Departmental Attorney in the Investigation Review Unit (IRU) recalled that sometime during Lawton's employment with the SSCIA a charge was made that he had leaked classified information.

There is no indication that the CIA reports observed under Lawton's bed were classified, which is a necessary element for instituting investigations under the espionage statutes.

Furthermore, investigations regarding leaks of classified information are initiated at the specific instructions of the Department, which to date has not instructed us to take any action with respect to the allegation that Lawton leaked classified information while with the SSCIA.

1 62-116395 (SENSTUDY)

RLMcL:ddc
(8)

62-116395

NOT RECORDED

CONTINUED 1976 OVER

Memorandum to Mr. R. J. Gallagher
Re: George Albert Lawton, Jr.

Through our Liaison Section, CIA was apprised of the information regarding Lawton and further that he is presently residing in Paris, France. CIA advised that based upon this information, there is no justification for any independent action on their part abroad regarding Lawton. However, should the FBI feel that Lawton is of sufficient interest to make a written formal request consistent with the Attorney General's guidelines, CIA will consider conducting investigation abroad.

RECOMMENDATION: For information.

DETAILS: On 4/9/76, WFO, while conducting an applicant investigation, determined from Edwin C. Loureiro, captioned subject's landlord, that while cleaning subject's apartment, he noticed pictures of Joseph Stalin and Fidel Castro hanging in the apartment, as well as an assortment of communist literature and what appeared to be CIA reports in paperback form under Lawton's bed. According to Loureiro, Lawton used to live in Chile but he was deported and is presently employed as a staff member with the SSCIA.

Lawton's employment with the SSCIA was verified by WFO as of 4/22/76.

Upon verification of subject's employment with the SSCIA, a discussion concerning this matter was held on 5/4/76 by SAs L. J. Brune, Jr., and S. F. Phillips with Mr. Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination of the Department and Mr. Jeffrey Harris, Chief of the Department's Investigation Review Unit, along with other representatives of their offices. During this discussion, Harris was telephonically advised by his IRU associate Joseph diGenova

Memorandum to Mr. R. J. Gallagher
Re: George Albert Lawton, Jr.

that Lawton was employed by the SSCIA as of two weeks prior to 5/4/76 as a consultant concerning Salvadore Allende (deceased leader of Chile) and Chile itself. According to Harris, diGenova recalled that sometime during the time of Lawton's employment with the SSCIA a charge was made that Lawton had leaked classified information. How that situation was resolved was not clarified during diGenova's telephonic conversation with Harris.

There is no indication that what appeared to be CIA reports in paperback form observed under Lawton's bed were classified, which is a necessary element for instituting investigations under the espionage statutes. Furthermore, investigations regarding leaks of classified information are instituted at the specific instructions of the Department, which to date has not instructed us to take any action with respect to the allegation that Lawton leaked classified information while with the SSCIA.

Through our Liaison Section, CIA was contacted and apprised of the information regarding Lawton, including his current residence in Paris, France. SA V. H. Weimar personally spoke with Mr. George Kalaris, Chief, Counter-intelligence Division, CIAHQ, on 11/3/76. Kalaris advised that CIA's position is that based upon the information furnished thus far regarding Lawton, there is no justification for any independent action regarding Lawton by CIA abroad. However, if the FBI considers Lawton of sufficient interest to request investigation of him abroad, CIA will consider same upon receipt of a formal request in writing from the FBI which is consistent with the Attorney General's guidelines.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. T. W. Leavitt *TWL
RNY*

FROM : R. J. Gray, Jr. *RJG*

SUBJECT: SENSTUDY 75; HOUSTUDY

1 - Mr. T. W. Leavitt
1 - Mr. H. N. Bassett
(Attn: R. L. Olsen)
1 - Mr. A. J. Decker
DATE: 6/9/77
1 - Mr. D. W. Moore *DC.P.EHL*
(Attn: J. C. Lawn)
1 - Mr. R. J. Gray
1 - Mr. S. J. Miller

Assoc. Dir. Dep. AD Adm.
Dep. AD Inv. Asst. Dir.
Adm. Serv. Crim. Inv.
Fin. & Pers. Ident.
Intell. Laboratory
Legal Coun. Plan. & Insp.
Rec. Mgmt. Spec. Inv.
Tech. Servs. Training
Public Affs. Off. Telephone Rm.
Director's Sec'y

*Sherry
BMB*

PURPOSE AND DETAILS:

This is to advise that both captioned files, all enclosures, ticklers, request folders, and other supporting material, formerly maintained in Room 3859, have been moved to Room 8988, J. Edgar Hoover Building, and placed in the custody of SA John C. Lawn.

All Intelligence Division personnel and property have been withdrawn from Room 3859.

RECOMMENDATION:

That captioned files and supporting material be maintained in Room 8988 and that appropriate Records Management Division personnel be advised of this relocation.

1 - 62-116464 (HOUSTUDY)
1 - 62-116395 (SENSTUDY 75)

SJM:dedded
(9)

gct/pjk

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/8/00 BY SP2/ADM/RW

APPROVED:

Director
Assoc. Dir.
Dep. AD Adm. *meff*
Dep. AD Inv.

Adm. Serv.
Crim. Inv.
Fin. & Pers.
Ident.
Intell.
Laboratory

Legal Coun.
Plan. & Insp.
Rec. Mgmt. *ADM*
Spec. Inv.
Tech. Servs.
Training
Public Affs. Off.

REC 7

62-116395-1705

JUN 17 1977

*RECEIVED
FBI - WASH. D. C.
JUN 17 1977*



Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Mr. J. B. Adams

Legal Counsel

SENSTUDY 75

1 - Mr. Wannall
1 - Mr. Mintz
1 - Mr. Cregar

11-19-75

1 - Mr. Daly
1 - Mr. Newman

Reff. 100

By letters dated 11-7-75 and 11-13-75, captioned Committee requested the Bureau to make available documents in both the field office and Headquarters' files concerning Bureau informants including the former informant Gary Thomas Rowe. This particular request was discussed by SA Paul V. Daly of this Division with Robert Kelley of captioned Committee. Kelley agreed to limit the material the Committee desired access to the following: (1) Informant reports concerning a Mother's Day incident in Birmingham, Alabama, in 1961. (2) Informant reports setting forth impending Klan violence. (3) Informant reports concerning Rowe's personal involvement in violence. (4) Informant reports concerning the Viola Liuzzo murder (no trial reports). (5) Informant reports of political campaigns, the Ku Klux Klan's participation in campaigns. (6) Informant reports on internal Klan politics, the relationship between the Klan and the police. (7) Communications issuing instructions to Rowe. (8) Informant reports setting forth COINTELPRO-type activities. (9) Informant reports setting forth dissemination of information outside the Bureau. (10) Reports of Rowe's reporting at the Ku Klux Klan national convention in 1963. (11) Informant payments made to Rowe.

RECOMMENDATION:

That the Intelligence Division insure that only the material falling within the aforementioned categories be made available to the Senate Select Committee.

Original cannot be located
and is not on record. When
original is received in Records
Branch it will be filed either
with this copy or may be given
a new serial.

James F. Kuhn 11/15/76

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-28-00 BY SP2A/M/R

EX 104

REC-33

62-116395-1704

82 NOV 23 1976

PVD:dkg (7)

84 DEC 17 1976
NW 54928 DocId:32989595 Page 66

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI

FEDERAL GOVERNMENT

DATE: October 14, 1976

FROM : The Attorney General

SUBJECT: Request of Senator Morgan

Since you feel as you do about releasing the documents Senator Morgan has requested, perhaps you should call him and see if a letter over your signature of the sort you suggested in your memorandum of October 6, 1976, would satisfy him.

| | |
|------------------|---|
| Assoc. Dir. | ✓ |
| Dep. Ass't. Adm. | ✓ |
| Int. A.D. Inv. | ✓ |
| Asst. Dir.: | ✓ |
| Adm. Serv. | ✓ |
| Ext. Affairs | ✓ |
| Fin. & Pers. | ✓ |
| Gen. Inv. | ✓ |
| Intell. | ✓ |
| Laboratory | ✓ |
| Legal Coun. | ✓ |
| Plan & Insp. | ✓ |
| Rec. Maint. | ✓ |
| Spec. Inv. | ✓ |
| Training | ✓ |
| Telephone Rm. | ✓ |
| Director Sec'y | ✓ |

3646

EX-14 1976

GEN. SERV. 10/14/76
THE ATTORNEY GENERAL

10/14/76 3646

FBI
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/28/00 BY SP2914/PL

REC-26

EX-10A 6-116395-1703X

2 FEB 18 1977

3 - *not*
ENCLOSURE

6 - *signed*



84 21 1977

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. T. W. Leavitt *JW* *SSM*

FROM : S. F. Phillips *SB*

SUBJECT: SENSTUDY 75

1 - Mr. J. B. Adams
1 - Mr. J. J. McDermott
1 - Mr. R. E. Long
1 - Mr. T. W. Leavitt

DATE: 9/30/76

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgmt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-28-00 BY *SD/JA/ML/PL*

PURPOSE: To propose incentive awards for James C. Brennan, GS-4, and I. Earlene Stanley, GS-5.

DETAILS: Mr. Brennan and Miss Stanley were assigned to the Senstudy 75 Special in January and February, 1976, respectively, assuming roles on this significant Special which had been handled by others who, in light of other compelling circumstances, were reassigned rather abruptly. There follows a summary of specific facets of their performance which have been clearly beyond what would have been normally called for in this situation.

Miss Stanley had but minimal training of a few hours in taking on her new duties; Brennan likewise had but limited training time. They both, with a minimum of supervision, demonstrated imagination and initiative in meeting a variety of problems and performed their duties in a manner well beyond what would have been acceptable. The following is illustrative: They devised and refined an elaborate indexing system for the Special, enabling us to quickly locate and retrieve relevant correspondence with a minimum of information. This has proven invaluable to all levels of Bureau officials and supervisors who frequently call upon us for information relating to the Special. They set up and refined an elaborate tickler system for the voluminous substantive and administrative correspondence generated by the Special, thus facilitating our day-to-day work. Many times working under compelling time limitations, they assisted numerous supervisors in the excising and duplication of documents and served as couriers to expedite materials to Bureau and Departmental officials. Working with Records Management Division employees, they have innovated procedures for the location, segregation and integration into our files of a vast amount of material

62-116395

SFP:lfj *15*

(9)

84 721 1976

CONTINUED - OVER

ROUTE IN ENVELOPE

Memorandum to Mr. T. W. Leavitt
Re: Senstudy 75
62-116395

heretofore maintained only as ticklers. Another task performed by them, significantly beyond what would be called for by their Grade level, consisted of their preparation of abstracts (precise summaries of lengthy documents) for inclusion in a Community Index maintained by the Director, Central Intelligence. As an adjunct to the Special, they have located, isolated, excised and duplicated a large volume of documents concerning a particular subject which had been given to the Church Committee so it may now be given, at the Attorney General's instructions, to the subject's estate. This effort, like most all the others performed by these two employees, was of a pioneering nature requiring innovative techniques. Their overall performance contributed immeasurably toward fulfilling the Bureau's responsibilities in this matter.

RECOMMENDATION: That Mr. Brennan and Miss Stanley be granted incentive awards, the amount to be determined by the Finance and Personnel Division.

| APPROVED: | Ext. Affairs..... | Laboratory..... |
|-------------------------------|-------------------|-------------------|
| Assoc. Dir..... | Fin. & Pers..... | Legal Coun..... |
| Dep. AD Adm..... | Gen. Inv..... | Plan. & Eval..... |
| Dep. AD Inv..... | Ident..... | Rec. Mgmt..... |
| Asst. Dir.: Adm. Serv..... | Inspection..... | Spec. Inv..... |
| | Intell..... | Training..... |

*OK for Incentive Awards
\$150.00 each
REB/KH*

*Appropriate Letter Prepared (10-6-76)
sent 10/6/76 and*

1 - Mr. R. G. Held
1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
1 - Mr. D. W. Moore, Jr.

The Attorney General

October 6, 1976

Director, FBI

REQUEST OF U.S. SENATOR
ROBERT MORGAN OF THE U.S.
SENATE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES (SSC)

1 - Mr. F. C. Fehl
1 - Mr. R. J. Gallagher
1 - Mr. S. F. Phillips
1 - Mr. J. G. Deegan
1 - Mr. D. K. Pettus
1 - Mr. J. D. Powell

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/28/00 BY [Signature]

5-7-76

This is in response to your recent telephonic request of me concerning what steps might be taken by your office and the Federal Bureau of Investigation (FBI) to accommodate requests of U. S. Senator Robert Morgan of North Carolina for authorization for public release of certain FBI documents. The following is set forth to present this matter in a complete context and to submit to you at the same time my suggestions and observations.

Senator Morgan was a member of the SSC. As such he had access to the FBI documents submitted to the SSC during its extensive review of FBI operations.

In response to requests of the SSC and its staff and in accordance with agreed to procedures we delivered to the SSC staff on August 28, 1975, several documents that related to our investigations and Counterintelligence Program (COINTELPRO) directed against the Klan in North Carolina. These documents were excised individually to exclude data that would obviously identify informants. The nature of these particular documents is such that when compared with each other the identity of a former FBI Klan informant, George Dorsett, can be deduced. This fact was recognized by the SSC, or its staff, and in fact a notation "IDENTS SOURCE" was made on the face of one of the documents after they were delivered to the SSC.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____

Asst. Dir. _____

Adm. Serv. _____

Ext. Affairs _____

Fin. & Pers. _____

Gen. Inv. _____

Ident. _____

Inspection _____

Intell. _____

Laboratory _____

Legal Coun. _____

Plan. & Eval. _____

Rec. Mgmt. _____

Spec. Inv. _____

Training _____

Telephone Rm. _____

Director Sec'y _____

62-116395

JDP:lek
(15)

EX-104
ENCL BEHIND FILE

TO BE HAND-DELIVERED BY THE OFFICE OF CONGRESSIONAL AFFAIRS.

10-6-76

SEE NOTE PAGE 6

6-6-76

REVIEWED

84 OCT 14 1976
54928 DocId:32989585 Page 70

MAIL ROOM TELETYPE UNIT

FBI/DOJ

The Attorney General

On December 5 and 6, 1975, various North Carolina news media reported Senator Morgan's statements to the effect that the FBI formed and provided operating funds for the Confederate Knights of the Ku Klux Klan (CKKKK) in the 1960's to disrupt and counter the existing United Klans of America (UKA).

The Special Agent in Charge (SAC) of the Charlotte Office of the FBI issued a press release on December 6, 1975, in which he summarized the FBI's investigation of the UKA. He described the nature of the UKA, i.e. the alleged promotion of Americanism, white supremacy and segregation of the races. He alluded to the anti-Negro, anti-Semitic nature of the UKA and the involvement of Klan members and leaders in the past in atrocities including beatings, bombings and murders as well as involvement in activities seeking to deny others their Constitutional rights. He described the UKA klaverns in North Carolina as having the same aims and purposes as the national organization.

He specifically stated "It recently has been widely reported that the FBI has been responsible for organizing new chapters or klaverns of the Klan. At no time was the FBI directly responsible for the organizing of any new Klan chapter or klavern." He denied that FBI informants were ever instructed to advocate, initiate or engage in acts of violence.

It appears that this press release by the SAC of the Charlotte Office has been considered by Senator Morgan as a challenge to his credibility. Apparently Senator Morgan feels that if the FBI documents from which he has formed his conclusions are released to the public, the dispute can be resolved.

The documents in question are enclosed in two forms. In one form they are the same as provided to the SSC. In the other they are excised more extensively, to which I will refer later.

The Attorney General

Particular attention is directed to the August 22, 1967, airtel from SAC, Charlotte to Director, FBI, which sets forth the formulation of the CKKKK. This document sets forth steps being taken in conjunction with an informant to utilize the CKKKK as a disruptive effort directed against the UKA. It is realized that this document gives the impression that the FBI formed the CKKKK.

Attention is also directed to SAC, Charlotte, airtel to Director, FBI, dated September 12, 1967. In paragraph one, page one of this document it is specifically stated that the Charlotte Office desired to continue to capitalize on the dissension between Dorsett and UKA Grand Dragon without having to form a separate organization. "However, those former UKA members who followed Dorsett were adamant in their intentions to form another organization, and in order to put the Bureau in the best position possible (deleted) became Grand Dragon of this new group."

This same communication specifically requests FBI Headquarters to authorize the paying of at least a portion of the expenses relating to the formation of the CKKKK.

By airtel dated September 25, 1967, from Director, FBI, to SAC, Charlotte, it is stated, "The Bureau will not, under any circumstances, approve the paying, by your office, of all expenses in connection with the formation of the new Klan organization known as the Confederate Knights of the Ku Klux Klan (CKKKK) by (deleted). The Bureau will, however, approve justifiable personal expenses incurred by the informant in this regard."

By memorandum to you dated December 19, 1975, I enclosed a proposed memorandum for delivery to Senator Frank Church, Chairman of the SSC. These memoranda advised of the disclosure in the December 10, 1975, issue of the Greensboro, North Carolina, "Greensboro Daily News," of the identity of FBI informant George F. Dorsett, attributed to a "Senate Intelligence Committee source." In these memoranda I enumerated several documents that were delivered to the SSC by the FBI and which when examined as a group and compared with each other led to Mr. Dorsett's identification as an informant. I reiterated my request that the December 19, 1975, memorandum be delivered to Senator Church by memorandum of February 11, 1976.

The Attorney General

By memorandum dated April 22, 1976, I furnished to you a copy of an article appearing in the April 4, 1976, issue of the "Greensboro Daily News" captioned "Morgan Confirms Spy Within KKK," and with a subcaption "George Dorsett." A copy of this news article is also enclosed herewith. By this memorandum I again requested that this matter be brought to the attention of Senator Church.

It is my understanding that the above incidents were not referred to the SSC.

I wish to point out that Mr. Dorsett's identity as an FBI informant has not been publicly acknowledged by the FBI nor to the extent of my knowledge by Mr. Dorsett.

By letter dated May 11, 1976, Senator Morgan requested of you the clearance for release of the documents in question. A copy of Senator Morgan's letter is also enclosed.

I and my staff have given this matter very serious consideration. I feel that the documents should not be approved for release inasmuch as the request is a personal request of Senator Morgan; the request is not a request of the SSC; it is not related to SSC business; the SSC has had numerous hearings relating to the material covered in these documents and has issued its report; the SSC no longer has standing to conduct business; it is felt nothing is to be gained by continued exposure and concentration on past specific incidents; Senator Morgan entered into the Congressional Record on May 10, 1976, my May 8, 1976, remarks at Fulton, Missouri, and Senator Morgan at that time stated his agreement with my remarks.

In Senator Morgan's letter he also requested the approval for public release of certain documents relating to the Black Panther Party (BPP) and COINTELPRO actions directed against the BPP in North Carolina. In regard to these documents (copies of which are also enclosed in two formats) it should be noted that Larry Donnell Little, who as BPP leader was the person most affected by the COINTELPRO actions, was advised by your Special Review Committee of the fact COINTELPRO actions were taken against him. Little is believed to be currently

The Attorney General

running for Alderman in Winston-Salem, North Carolina, and disclosure of these documents at this time could be construed as an improper intrusion into local politics by the Federal Government. In an interview of Little reported in the December 20, 1975, issue of the "Winston-Salem Chronicle," Winston-Salem, North Carolina, Little is quoted as being aware of the Freedom of Information Act as a means of obtaining material from FBI files.

In the event you feel that this matter can better be resolved by the public release of these documents, they have been examined and additional excisions made which, should they be released, will not disclose the identity of an informant. Copies of the documents with these excisions are enclosed herewith. (It is noted that these documents in this format were provided to you by memorandum dated July 9, 1976.)

I have also given consideration to the submission of a letter to Senator Morgan either over your signature or mine, which letter would acknowledge that the FBI did exploit the CKKKK as a means of disrupting the UKA. I interpose no objection to such a letter providing it is worded in such a manner that a specific informant is not identified nor Senator Morgan's disclosure of this informant is acknowledged. Any such letter should of course accurately set forth the events based on the information contained in these documents which I feel is accurately summarized above.

Senator Morgan has expressed his concern about a critical reaction in North Carolina to his statements critical of the FBI by former FBI employees. Senator Morgan has implied that he considers such reactions as being orchestrated by the FBI. Such is not so and I would trust that Senator Morgan would accept my statement to this effect in good faith. The FBI does not in any manner direct the activities of former FBI employees, either to perform or to desist.

I hope that this summary will aid you in determining the most effective means of meeting the request of Senator Morgan. I wish to emphasize that neither I nor my staff desires to pursue a position of obstinacy in this situation.

The Attorney General

I do feel strongly, however, that we cannot acquiesce to the public disclosure of an FBI informant who has not otherwise been disclosed.

Enclosures (4)

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

NOTE:

Deputy Associate Director James B. Adams on 10/4/76 instructed that a communication to the Attorney General be prepared summarizing the background of the continuing request of Senator Morgan for public disclosure of the above documents. This request was made to enable the Director to respond to a telephonic request of the Attorney General.

APPROVED: *[Signature]*

| | |
|--------------|-------------------|
| Assoc. Dir. | Ext. Affairs..... |
| Dep. AD Adm. | Fin. & Pers..... |
| Dep. AD Inv. | Cen. Inv..... |
| Asst. Dir. | Ident..... |
| Adm. Serv. | Inspection..... |
| | Intell..... |

Laboratory.....
Legal Coun.....
Plan. & Eval.....
Rec. Mgmt.....
Spec. Inv.....
Training.....

[Handwritten signatures and initials are present over the signature line and the table of approvals.]

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

May 23, 1975

BY LIAISON

"Authority granted to the
FBI to send initial line of
(17-109)"

"Initial information within Payne An
Junction", Feb. 18, 1975.

Dear Mr. Kelley:

I regret the delay in responding to your letter of April 9, requesting that the NSC Staff approve the release of certain materials to the Senate Select Committee on Intelligence Activities. We have now completed our review of the subject documents and offer the following comment.

We have no objection to the release of the November 6, 1950 memorandum from J. Patrick Coyne to J. Edgar Hoover and Raymond Whearty or the November 8, 1950 letter from J. Edgar Hoover to J. Patrick Coyne, along with the enclosure entitled "Report by the Inter-departmental Intelligence Conference to the National Security Council Regarding the Recent Outbreak of Violence by Puerto Rican Nationalists."

Concerning the report discussing internal security programs in the United States under the control of the IIC, enclosed with the July 25, 1961 letter from Mr. Hoover to McGeorge Bundy, the NSC Staff has determined that it should not be released in its present form. From the information contained in this report, it appears that events could be reconstructed so as to identify confidential FBI sources, the protection of which is essential to our intelligence operations. Therefore before this document may be released to the Senate Select Committee it should be carefully reviewed and the information it contains which could compromise confidential sources should be removed.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/28/00 BY SP2AUM/PLD

REC 32

Sincerely,

OW Davis

Jeanne W. Davis
Staff Secretary

2-16325-1701
SEP 24 1976

Honorable Clarence M. Kelley
Director, Federal Bureau of Investigation
Department of Justice
Washington, D.C. 20535

84 OCT 5 1976

| | |
|----------------|-------------------------------------|
| Assoc. Dir. | <input checked="" type="checkbox"/> |
| Dep.-A.D.-Adm. | <input type="checkbox"/> |
| Dep.-A.D.-Dir. | <input type="checkbox"/> |
| Asst. Dir.: | <input type="checkbox"/> |
| Admin. | <input type="checkbox"/> |
| Comp. Syst. | <input type="checkbox"/> |
| Ext. Affairs | <input type="checkbox"/> |
| Files & Com. | <input type="checkbox"/> |
| Gen. Inv. | <input type="checkbox"/> |
| Ident. | <input type="checkbox"/> |
| Inspection | <input type="checkbox"/> |
| Intell. | <input checked="" type="checkbox"/> |
| Laboratory | <input type="checkbox"/> |
| Plan. & Eval. | <input type="checkbox"/> |
| Spec. Inv. | <input type="checkbox"/> |
| Training | <input type="checkbox"/> |
| Legal Coun. | <input type="checkbox"/> |
| Telephone Rm. | <input type="checkbox"/> |
| Director Sec'y | <input type="checkbox"/> |

EXD-PROG
JUN 27 1975

30

April 9, 1975

BY LIAISON

Mrs. Jeannine W. Davis
Staff Secretary
National Security Council
Old Executive Office Building
Washington, D. C.

Dear Mrs. Davis:

1-Mr. Mintz
1-Mr. Wannall
1-Mr. Gregar
1-Mr. Flemister
1-Mr. Rachner

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-28-00 BY SP/AM/RC

In connection with a request of the Senate Select Committee on Intelligence Activities, it is requested that the following documents, which were originated or received by representatives of the National Security Council, be cleared for transmittal to the Senate Select Committee:

Memorandum dated November 6, 1950, from Mr. J. Patrick Coyne, National Security Council Representative on Internal Security, to Mr. J. Edgar Hoover, Chairman, Interdepartmental Intelligence Conference, and Mr. Raymond P. Sheary, Chairman, Interdepartmental Committee on Internal Security

Letter dated November 6, 1950, from Mr. J. Edgar Hoover, Chairman, Interdepartmental Intelligence Conference, to Mr. J. Patrick Coyne, National Security Council, which encloses a report captioned "Report by the Interdepartmental Intelligence Conference to the National Security Council Regarding the Recent Outbreak of Violence by Puerto Rican Nationalists"

Letter dated July 25, 1961, from Mr. J. Edgar Hoover, Chairman, Interdepartmental Intelligence Conference,

BCR:hc
(7)

SEE NOTE PAGE TWO.

Mrs. Jeannie W. Davis
Staff Secretary
National Security Council

to Honorable McGeorge Bundy, Special Assistant
to the President for National Security Affairs,
which encloses a memorandum concerning
United States internal security programs
under the control of the Interdepartmental
Intelligence Committee

Inasmuch as the Senate Select Committee requested
the above documents by close of business April 7, 1975,
your prompt attention to this matter would be appreciated.

Sincerely yours,

Clarence M. Kelley
Director

NOTE:

In view of the urgency of the Senate Select
Committee request, the above documents were hand carried to
the NSC Staff on 4/4/75, by Liaison Agent B. C. Rachner.
This letter constitutes a formal request which as in the past
has been requested by the National Security Council Staff.

1 - Mr. J. Decker
2 - Mr. A. J. Decker
(i - P. T. Blake)
1 - Mr. A. J. Decker
(Attn: T. H. Bresson)

The Attorney General

September 24, 1976

Director, FBI

1 - Mr. R. J. Gallagher
1 - Mr. T. W. Leavitt
1 - Mr. J. G. Deegan
1 - Mr. P. E. Nugent
2 - Mr. S. F. Phillips

MARTIN LUTHER KING, JR.

Reference is made to my letters to you dated August 25 and September 2, 15, 20 and 22, 1976, by means of which there were delivered our first five installments of documents for the estate of Martin Luther King, Jr.

Being delivered with this communication is the sixth and final installment of such documents.

1 - The Deputy Attorney General
Attention: Michael L. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

100-106670

① - 62-116395 (Senstudy 75)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-28-00 BY SP2 A/C/RW

SFP:lfj
(15)

NOTE:

Pursuant to an Attorney General instruction of 7/14/76, we have been furnishing to him for transmittal to the King estate, documents from our files which had previously been given to the Senate Select Committee on Intelligence Activities (SSC). Material in this sixth installment represents that given to the SSC in response to its 11/7 (two requests), 11, 12, 25; 12/4, 18/75; and 1/23/76 requests. Triplicate sets of documents are being sent to the Department, one for the King estate, and two for retention by Department. Another set, which is for our file, accompanies the yellow of this communication.

62-116395-
NOT RECORDED

TO BE HAND DELIVERED BY SA S. F. PHILLIPS

46 DEC 15 1976

DJL:lfj

84 DEC 21 1976

1 - Mr. R. J. Callahan
1 - Mr. R. W. Leavitt

The Attorney General

September 22, 1976

Director, FBI

1 - Mr. J. G. Deegan
1 - Mr. P. E. Nugent
2 - Mr. S. F. Phillips

MARTIN LUTHER KING, JR.

Reference is made to my letters to you dated August 25 and September 2, 15 and 20, 1976, by means of which there were delivered our first four installments of documents for the estate of Martin Luther King, Jr.

Being delivered with this communication is the fifth installment of such documents.

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

100-106670

1 - 62-116395 (Senstudy 75) *REVIEWED
DATE 10/8/76 BY SFP/ALM/RW*
SFP:jdp
(15)

NOTE:

Pursuant to an Attorney General instruction of 7/14/76 we have been furnishing to him for transmittal to the King estate, documents from our files which had previously been given to the Senate Select Committee on Intelligence Activities (SSC).

Material in this fifth installment represents that given to the SSC in response to its 9/29, 10/6, 15 and 17/75 requests. Triplicate sets of documents are being sent to the Department, one for the King estate, and two for retention by Department. Another set, which is for our file, accompanies the yellow of this communication.

62-116395
NOT RECORDED

46 DEC 14 1976

TO BE HAND DELIVERED BY SA S. F. PHILLIPS

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - P. Blake)
1 - Mr. A. J. Decker
(Attn: T. H. Bresson)
1 - Mr. R. J. Gallagher
1 - Mr. T. W. Leavitt

The Attorney General

September 20, 1976

Director, FBI

1 - Mr. J. G. Deegan
1 - Mr. P. E. Nugent
2 - Mr. S. F. Phillips

MARTIN LUTHER KING, JR.

Reference is made to my letters to you dated August 25 and September 2 and 15, 1976, by means of which there were delivered our first three installments of documents for the estate of Martin Luther King, Jr.

Being delivered with this communication is the fourth installment of such documents.

Attention is invited to two Department communications classified "Secret" which are included in this delivery. They are letters dated January 3, 1968, and January 17, 1969, from the then Attorney General, Ramsey Clark, to the then Director of the FBI, J. Edgar Hoover. In accordance with an earlier understanding between the Department and this Bureau, we would appreciate your advice as to action taken by the Department relative to declassifying these documents prior to their delivery to the King estate.

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-28-00 BY SFA/cjw

100-106670

62-116395

NOT RECORDED

46 NOV 18 1976

1 - 62-116395 (Senstudy 75)

SFP:jdp
(15)

NOTE: Pursuant to an Attorney General instruction of 7/14/76, we have been furnishing to him for transmittal to the King estate, documents from our files which had previously been given to the Senate Select Committee on Intelligence Activities (SSC). Material in this fourth installment represents that given to the SSC in response to its 9/8, 12 and 27/75 requests. Triplicate sets of documents are being sent to the Department, one for the King estate, and two for retention by Department. Another set, which is for our file, accompanies the yellow of this communication.

TO BE HAND DELIVERED BY SA S. F. PHILLIPS

1 - Mr. J. B. Adams
2 - Mr. [REDACTED] Mintz
(1 - [REDACTED] Blake)
1 - Mr. A. J. Decker
(Attn: T. H. Bresson)
1 - Mr. R. J. Gallagher
1 - Mr. T. W. Leavitt

The Attorney General

September 15, 1976
43-41170-166-100

Director, FBI

FEDERAL GOVERNMENT

1 - Mr. J. G. Deegan
1 - Mr. P. E. Nugent
2 - Mr. S. F. Phillips

MARTIN LUTHER KING, JR.

Reference is made to my letters to you dated August 25 and September 2, 1976, by means of which there were delivered our first two installments of documents for the estate of Martin Luther King, Jr.

Being delivered with this communication is the third installment of such documents.

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

100-106670

1 - 62-116395 (Senstudy 75)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/28/00 BY SP2001/PRW

SFP:jdp
(15)

NOTE:

Pursuant to an Attorney General instruction of 7/14/76, we have been furnishing to him for transmittal to the King estate, documents from our files which had previously been given to the Senate Select Committee on Intelligence Activities (SSC). Material in this third installment represents that given to the SSC in response to its 8/20 and 27/75 requests. Triplicate sets of documents are being sent to the Department, one for the King estate, and two for retention by Department. Another set, which is for our file, accompanies the yellow of this communication.

TO BE HAND DELIVERED BY SA S. F. PHILLIPS

62-116395
NOT RECORDED
46 NOV 12 1976

JFK Law 10(a)1

JFK Law 10(a)1

JFK Law 10(a)1

JFK Law 10(a)1

Mr. R. J. Gallagher

J. O. Ingram

GEORGE ALBERT LAWTON, JR.
SUBVERSIVE MATTER -
COMMUNIST PARTY, USA (CPUSA)

PURPOSE:

To advise of current status of this matter.

SYNOPSIS:

R. L. Shuckelford to Mr. T. W. Leavitt memorandum, 5/25/76, proposed preliminary investigation of Lawton under the Attorney General guidelines for domestic security investigations. Recommendation to investigate was based on information developed during an applicant-type investigation by Washington Field Office (WFO), which indicated Lawton's involvement with communist movement and possible possession of classified Central Intelligence Agency (CIA) material. In an addendum therewith, the Legal Counsel Division concluded that the matter should be treated preferably as a possible leak or unauthorized disclosure of classified information. In an attempt to resolve this issue an effort was made to determine Lawton's present employment and to disseminate a copy of WFO's Letterhead Memorandum (LHM) concerning Lawton to CIA Headquarters. The Director of Security of that agency would not accept the LHM because of an asserted absence of jurisdiction. It has been determined that Lawton has sublet his Washington, D. C., apartment and is now in Paris, France. A representative of CI-4, Liaison Section, will proceed to contact the Counter-intelligence Staff of CIA Headquarters to determine whether that agency would now have an interest in view of the subject's foreign residence.

ACTION:

For information.

161-11367

① - 62-116395 (SENSTUDY)

Enclosures - 3

LJB:sdjs

(11)

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
(Attn: P.V. Daly)
9/15/76
1 - Mr. T. W. Leavitt
1 - Mr. W. O. Cregar
1 - Mr. V. V. Kolombatovic
(Attn: V. H. Weimar)
1 - Mr. S. S. Mignosa
1 - Mr. S. F. Phillips
1 - Mr. T. J. McNiff
1 - Mr. L. J. Brune

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/28/00 BY SP/AL/PL

62-116395
NOT RECORDED

46 DEC 6 1976

CONTINUED - OVER

Memorandum to Mr. R. J. Gallagher
Re: George Albert Lawton, Jr.
161-11367

BACKGROUND:

R. L. Shuckelford to Mr. T. W. Leavitt memorandum, 5/25/76, prepared by LJB:sdjs under instant caption, which is enclosed herewith, had for its purpose a proposed preliminary investigation concerning Lawton, who was employed by the Senate Select Committee on Intelligence Activities (SSCIA). The proposed investigation was predicated on the following information, which was obtained by WFO while conducting an applicant investigation. This information is set forth in an LHM prepared by WFO on 4/26/76, which is also enclosed herewith along with its transmittal letter of the same date.

Lawton's landlord at 1824 Belmont Road, NW, Washington, D. C. (an apartment building), Mr. Edwin C. Loureiro, advised that he had seen pictures of the former Soviet leader Stalin and Cuban leader Castro hanging in the subject's apartment and observed communist literature in that apartment and what appeared to be CIA reports under Lawton's bed. The landlord associated Lawton with a CPUSA bookstore operated in Washington, D. C., and advised that Lawton informed him of his deportation from Chile.

The recommended investigation under the Attorney General guidelines for domestic security investigations, relative in this instance to the CPUSA investigation, was based on discussions among FBIHQ Supervisors L. J. Brune, Jr., Unit Chief of the Communist Party Unit, and S. F. Phillips, Chief of the SENSTUDY Project, and Departmental officers including Mr. Jeffrey Harris, Chief of the Department's Investigation Review Unit (IRU). During the discussion with Harris, he was in telephonic contact with Mr. Joseph diGenova, who was his IRU associate. DiGenova informed Harris of his recollection that sometime during the term of Lawton's past employment with SSCIA a charge had been made that Lawton had leaked classified material. Harris said that diGenova did not elaborate concerning this charge.

In an addendum dated 6/10/76 to the above-mentioned memorandum, the Legal Counsel Division (LCD) concluded that a preferred course of action instead of a domestic security investigation would be to treat this matter as a possible leak or an unauthorized disclosure of classified information.

Memorandum to Mr. R. J. Gallagher
Re: George Albert Lawton, Jr.
161-11367

A letter to the Attorney General dated 7/13/76 was prepared by Supervisor L. J. Brune, Jr., for the purpose of resolving the difference of opinion between the IRU and LCD. If the letter had been approved within FBIHQ, and a leak case approved by the Department, the matter would have been transferred to CI-3 Section for handling under the character of Espionage-X. In lieu of this course of action, the Intelligence Division decided that further inquiry be made to clarify Lawton's status with the Government, if any. Supervisor L. J. Brune, Jr., on 7/16/76, was therefore instructed to endeavor to discreetly determine Lawton's current address and employment and to furnish a copy of the above-mentioned WFO LHM regarding the subject to CIA, in view of the above information regarding Lawton's alleged possession of CIA documents and the issue of his alleged leak of classified data. Supervisor Brune ascertained from Supervisor P. V. Daly of the LCD on 7/16/76 that he had no access to Congressional records and, therefore, could not verify whether Lawton was then employed in any capacity by a Congressional office. An employee of the Administrative Services Division, Mr. Richard B. McCord, who is the partner of the aforementioned Edwin C. Loureiro, advised 7/20/76 that Lawton still resided at 1824 Belmont Road, NW, Washington, D. C.

A copy of the WFO LHM regarding subject dated 4/26/76 was given to a representative of the Liaison Section, CI-4, on 7/21/76 for transmittal to CIA. On 8/5/76, Supervisor V. H. Weimar of CI-4 Section was informed by Mr. Robert Gambino, Director of Security, CIA Headquarters, that his agency would not accept the LHM inasmuch as the matter involved is not of jurisdictional interest to CIA. Subsequently, Mr. McCord of the Administrative Services Division telephonically advised Supervisor Brune that he had learned that Lawton has sublet his apartment in Washington, D. C., and is now in Paris, France, for reason(s) unknown. Supervisor Weimar was thereupon requested to recontact CIA Headquarters to determine whether that agency would now be interested in receiving the above WFO LHM in view of subject's present residence abroad. Weimar is proceeding to handle this request and will brief the Counterintelligence Staff of CIA Headquarters concerning this matter to determine whether or not that agency would have an interest in view of subject's foreign residence.

JFK Law 10(a)1

1 - Mr. J. B. Adams
2 - Mr. J. C. McIntire
(1 - Mr. R. Blake)
1 - Mr. A. J. Becker
(Attn: T. H. Bresson)
1 - Mr. R. J. Gallagher
1 - Mr. T. W. Leavitt

The Attorney General

September 2, 1976

Director, FBI

1 - Mr. J. G. Deegan
1 - Mr. P. E. Nugent
2 - Mr. S. F. Phillips

MARTIN LUTHER KING, JR.

Reference is made to my letter to you dated August 25, 1976, by means of which there was delivered our first installment of documents for the estate of Martin Luther King, Jr.

Being delivered with this communication is the second installment of such documents.

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

100-106670

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/28/00 BY SP22A (JRW)

1 - 62-116395 (Senstudy 75)

SFP:jdp
(15)

NOTE.

Pursuant to an Attorney General instruction of 7/14/76, we have been furnishing to him for transmittal to the King estate, documents from our files which had previously been given to the Senate Select Committee on Intelligence Activities (SSC). Material in this second installment represents that given to the SSC in response to its 7/8 and 14/75 requests. Duplicate sets of documents are being sent to the Department, one for the King estate, one for retention by Department. Another set, which is for our file, accompanies the yellow of this communication.

DUPLICATE YELLOW

NOT RECORDED

46 SEP 3 1976

TO BE HAND DELIVERED BY THE OFFICE OF CONGRESSIONAL AFFAIRS

5 SEP 3 1976

UNITED STATES GOVERNMENT

Memorandum

TO : T. W. Leavitt *JKS*

FROM : S. F. Phillips *SP*

SUBJECT: SENSTUDY 75

1 - Mr. A. J. Decker
1 - Mr. T. W. Leavitt
1 - Mr. S. F. Phillips

DATE: 9/27/76

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/28/00 BY SP2201/SP

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgmt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

Reference is made to memorandum from W. O. Cregar to Mr. W. R. Wannall 4/11/75, by which approval was obtained for maintenance of the file relating to captioned matter in Room 4063, J. Edgar Hoover Building, rather than for the maintenance of it by the Files and Communication Division. Similar memoranda 9/25/75 and 4/2/76 renewed approval.

This matter concerns the Bureau-wide effort to service the numerous requests of the U. S. Senate Select Committee on Intelligence Activities. Since last memorandum, file was moved to Room 3859. Although the Committee's life has ended and we no longer service any requests, we continue almost daily to utilize this file which now consists of 57 sections as well as a tremendous number of bulky exhibits in connection with internal needs. In addition, we have underway an involved project of a "housekeeping" nature concerning this and related files.

Memorandum to All Bureau Officials and Supervisors 7/24/75 requires semiannual renewal for maintenance of files away from the Records Management Division. In accordance with the provisions of that requirement and because of the compelling reasons for maintaining the file in place as we have for the past year and a half, We are recommending the continued maintenance of this file as in the past.

RECOMMENDATION:

Captioned file continue to be maintained in Room 3859, J. Edgar Hoover Building.

REC-64

62-116395

SFP:cjc
(4) cjc

10
SEP 30 1976
XEROX

ST 106

23 SEP 30 1976

62-116395-1700

UNRECORDED COPY FILED 10-1-76 by SP



84 OCT 4 1976

NW 54928 DocId:32989595 Page 100

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ

1 - Mr. B. Adams
2 - Mr. A. Meatz
(1 - P. T. Blake)
1 - Mr. A. J. Decker
(Attn: T. H. Bresson)
1 - Mr. R. J. Gallagher
1 - Mr. T. W. Leavitt

The Attorney General

August 25, 1976

Director, FBI

1 - Mr. J. G. Deegan
1 - Mr. P. E. Nugent
2 - Mr. S. F. Phillips

MARTIN LUTHER KING, JR.

Reference is made to your letter dated July 14, 1976, captioned "Request of the Estate of Dr. Martin Luther King, Jr.," instructing that certain material concerning King previously furnished to the Senate Select Committee on Intelligence Activities (Church Committee) now be furnished to the King estate; my letter dated August 2, 1976, forwarding for your concurrence a Memorandum of Understanding (MOU) incorporating procedures and guidelines for use in fulfilling your instructions; and letter dated August 10, 1976, from Mr. Michael E. Shaheen, Jr., Counsel, Office of Professional Responsibility, which confirms the MOU with one exception discussed hereinafter.

The exception noted relates to derogatory material concerning Mr. Stanley David Levison and Mr. and Mrs. Harry Wachtel which is included in the documents to be given to King estate. It is Mr. Shaheen's advice that these three individuals have consented to having derogatory information concerning them included in the documents and that their written consents on this point will be provided to the Department. We have and will follow the provisions of this exception but not to the exclusion of our option to excise information concerning these three individuals for reasons other than privacy as provided for in the MOU.

Since our submission of the MOU for the Department's concurrence, certain additional agreements and understandings have been arrived at between Mr. Steven Blackhurst, Assistant to Mr. Shaheen, and a representative of this Bureau. These are as follows:

100-106670

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/20/00 BY SP2/JDP

1 - 62-116395 (Senstudy 75)

2 - 116395
NOT RECORDED

46 SEP 2 1976

SFP:jdp
(15)

DUPLICATE
SEE NOTE PAGE TWO

TO BE HAND DELIVERED BY THE OFFICE OF CONGRESSIONAL AFFAIRS

The Attorney General

(1) If any classified Department of Justice documents are involved, they are to be excised in conformance with the MOU but not declassified. Such documents are to be specifically brought to the Department's attention, after which the Department will handle the matter of declassification and advise us.

(2) We may except from delivery to the King estate material which is completely extraneous to King.

(3) We are not to furnish to the King estate copies of twelve memoranda from former FBI Assistant Director C. D. DeLoach to Mr. Walter Jenkins of the White House concerning the 1964 Democratic Party National Convention.

Being delivered with this communication is the first installment of the documents for the King estate. Attention is invited to the penultimate document in this submission, a communication from the Attorney General to the Director, FBI, dated May 20, 1954, and entitled "Microphone Surveillance." This communication is classified "Confidential."

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

NOTE:

The material in this first installment represents material delivered to the Church Committee in response to its 5/14/75 request. The agreements and understandings referred to above were between Blackhurst of the Department and S. F. Phillips of the Bureau. Duplicate sets of documents being sent Department, one for King estate, one for retention.

1 - Mr. J. D. Adams
1 - Mr. J. A. Mintz
(Attn. P. V. Daly)

Assistant Attorney General
Office of Legislative Affairs

Director, FBI

UNITED STATES SENATE SELECT
COMMITTEE ON INTELLIGENCE

~~TOP SECRET~~

March 24, 1977

- 1 - Mr. T. W. Leavitt
- 1 - Mr. A. B. Fulton
- 1 - Mr. S. S. Mignosa
- 1 - Mr. R. M. Egan

Reference is made to the letter and letterhead memorandum of this Bureau dated March 8, 1977, captioned as above.

Enclosed for your approval and forwarding is an original letterhead memorandum with two enclosures, one of which is a copy of our letter dated July 19, 1973, initiating investigation of allegations concerning activities of the Korean Central Intelligence Agency, as well as one copy each for your office. 1

Also enclosed is one copy each of the above memorandum and enclosures for the information of the Assistant Attorney General, Criminal Division (Public Integrity Section). 90

Enclosures - 6 ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE
105-247904

1 - Assistant Attorney General
Criminal Division (Public Integrity Section)
Enclosures * 3

105 - 249981

RME:emj
- (10)

Assec. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____

Asst. Dir.:
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Intell. _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgt. _____
S. & T. Serv. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

102-116395- APR 20 1971

NOTES

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Enclosure

167 APR 26 1977

~~TOP SECRET MATERIAL~~ SEE NOTE, PAGE

SECRETARIA DE EDUCACION

~~HANDLE VIA COMINT CHANNELS~~

**WARNING NOTICE
SENSITIVE INTELLIGENCE SOURCES
AND METHODS INVOLVED**

~~SECRET~~

POINT IN NEW GROUP

MAIL ROOM

TELETYPE UNIT

Assistant Attorney General
Office of Legislative Affairs

NOTE:

~~TOP SECRET~~

The Senate Select Committee on Intelligence (SCI) has previously requested information concerning our knowledge of the activities of the Korean Central Intelligence Agency (KCIA) during period 1970-74, as well as the general rules and policies pertaining to the FBI investigations of noncriteria countries foreign intelligence services.

We have previously responded to SCI inquiries in these matters by memoranda dated 1/18/77 and 3/8/77. In memorandum dated 3/8/77, we informed SCI that our initiating letter to the field in July, 1973, contains sensitive information from another government agency and that we were seeking clearance for transmission to SCI from that agency. Material in question dealt with information received from National Security Agency (NSA). On 3/4/77 and 3/11/77, Gerard Burke and Michael Smith, NSA, advised Liaison Officer B. P. Murphy that the NSA material in question could be furnished to SCI and that NSA could be identified as the source of this material if the material was classified "Top Secret - Handle Via Comint Channels." This has been done ~~(S)~~ (S)

It is noted our initiating letter to the field identifies as enclosures material received from CIA and State Department in this investigation. On 3/18/77, Liaison Officers R. W. Feuer and V. H. Weimar were advised by State Department and CIA respectively that no objection interposed to the identification of these communications to SCI.

This letter to the Assistant Attorney General, Office of Legislative Affairs, and included memorandum, if approved, should be transmitted to SA P. V. Daly, Office of Congressional Affairs, so that it can be hand carried to the Department.

^{QMC}
Classified by 5019, XGDS 2 and 3, Indefinite.

~~TOP SECRET~~

APPROVED:

Adm. Serv.

Legal Coun.

Ext. Affairs.

Plan. & Insp.

Director.

Rec. Ngt.

Assoc. Director.

S. & T. Serv.

Dsp. AD.

Spec. Inv.

Intell.

Training.

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
(Attn: P. V. Daly)
1 - T. W. Leavitt
1 - Mr. A. B. Fulton
1 - Mr. S. S. Mignosa
March 24, 1977

1 - Mr. R. M. Egan

UNITED STATES SENATE SELECT
COMMITTEE ON INTELLIGENCE
RE: REQUEST FOR INFORMATION
CONCERNING ACTIVITIES OF THE
KOREAN CENTRAL INTELLIGENCE
AGENCY (KCIA) WITHIN THE
UNITED STATES DURING 1970-74
(R6688)

11-2800

CLASSIFIED BY: SR2A/AM/lu
REASON: 1.5 (c)
DECLASSIFY ON: X

MDR-16

Downgrade to Secret
1/21/77
UCB/AM
60324

Reference is made to letterhead memorandum of this Bureau dated March 8, 1977, with enclosures. This memorandum indicated our letter initiating investigation into allegations concerning Korean Central Intelligence Agency (KCIA) activities in the United States contains sensitive information received from another government agency and that we were seeking clearance from that agency to make this letter available to the Senate Select Committee on Intelligence (SCI).

Attached is the initiating letter dated July 19, 1973, which has been cleared by the National Security Agency (NSA), the agency in question, for passage to SCI.

Also attached is a copy of our Legal Attache, (S) Tokyo, teletype dated June 21, 1973, which was furnished to our Washington Field Office as an enclosure to our letter of July 19, 1973. Other enclosures, which were transmitted to our Washington Field Office by this letter, were from other agencies, and you may desire to communicate with these agencies if a review of this material is sought.

Assoc. Dir. _____

Dép. AD Adm. _____

Dep. AD Inv. _____

Asst. Dir. _____

Adm. Serv. _____

Ext. Affairs _____

Fin. & Pers. _____

Gen. Inv. _____

Ident. _____

Intell. _____

Legal Coun. _____

Plan. & Insp. _____

Rec. Mgt. _____

S. & T. Serv. _____

Spec. Inv. _____

Training _____

Telephone Rm. _____

Director's Soc'y _____

Enclosures = 2

105-247904

1 - Assistant Attorney General
Criminal Division (Public Integrity Section)

APPROVED:

Director.....

Assoc. Dir.....

Dép. AD Adm.....

Intell.....

Legal Coun.....

Ext. Affairs.....

Fin. & Pers.....

Gen. Inv.....

Ident.....

Intell.....

Training.....

Adm. Serv.....

Ext. Affairs.....

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Legal Coun.....

Plan. & Insp.....

Rec. Mgt.....

S. & T. Serv.....

Spec. Inv.....

Training.....

TOP SECRET
Classified by 5010
Exempt from GDS, Categories 2 and 3
Date of Declassification Indefinite

WARNING NOTICE
SENSITIVE INTELLIGENCE SOURCE
AND METHODS INVOLVED

HANDLE VIA COMINT CHANNELS

ENCLOSURE

Enclosure

62-116-395-

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Moore M 744

REC-13

DATE: 8-19-76

FROM : C. P. Monroe CM

SUBJECT: INQUIRY FROM ~~LADISLAS FARAGO~~ ABOUT
MARTIN LUTHER KING MATERIAL IN
FINAL REPORT OF THE SENATE SELECT
COMMITTEE ON INTELLIGENCE ACTIVITIES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/08/00 BY SP/AM/PA

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Mail Cmn. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

Mon 6/11
PURPOSE: The purpose of this memorandum is to advise of the receipt of a letter dated August 12th from author Ladislas Farago, enclosing a copy of a letter that Farago wrote to Senator Walter Mondale; member of the Senate Select Committee to Study Governmental Operations With Respect to Intelligence Activities (SSIC), in which Farago inquires regarding the full text of a quotation from an FBI memorandum regarding Dr. Martin Luther King, Jr., which appears on page 121 of Book III of the SSIC's Final Report.

DETAILS: Ladislas Farago is a well-known author who currently is completing an in-depth biography of J. Edgar Hoover. By letter dated August 12th, he has sent Mr. Kelley a copy of a letter he wrote Senator Walter Mondale. In that letter he refers to Senator Mondale's membership on the SSIC and calls attention to the following quotation regarding the FBI's investigative coverage of Dr. Martin Luther King, Jr., which appears on page 121 of Book III of the SSIC's Final Report:

"Justifying the need for the microphone coverage, the Chief of the FBI's Internal Security Section wrote that the FBI was 'attempting' to obtain information about 'the (private) activities of Dr. King and his associates' so that Dr. King could be 'completely discredited.'"

In his letter to Senator Mondale, Farago points out that it would have been more proper to have quoted verbatim from the FBI memorandum, rather than to have paraphrased it in the manner done on page 121 of Book III. He asks Senator Mondale (and in his letter to the Director, he also asks Mr. Kelley) to make available a copy of the FBI memorandum which served as the basis for this sentence in the SSIC's report.

1 - Mr. Moore
1 - Mr. Gallagher
1 - Mr. Leavitt
1 - Mr. Mintz
1 - Mr. P. V. Daly
GWG:slr (9)

slr pwp

REC-13

23 SEP 10 1976

Recd 6/21/16393
File: 6/21/16393

gill pwp

CONTINUED - OVER

Monroe to Moore memo

RE: INQUIRY FROM LADISLAS FARAGO

The FBI memo in question is dated January 28, 1964, and captioned "Communist Party, USA, Negro Question, Communist Influence in Racial Matters, Internal Security - Communist." The full text of the data in question regarding Dr. King is:

"Because of the communist influence on him, he needs to be, for the security of the Nation, completely discredited. An obvious means to this end is through his moral weaknesses and we are attempting to obtain as many facts as possible relative to his low morals with a view to effectively using this information. The activities of King and his associates at the Willard Hotel in Washington, D. C., 1/6-7/64 have demonstrated the potential for us in effecting technical coverage."

A comparison of the above-quoted data with the paraphrased account of it that appears in the Final Report of the SSIC does, of course, reflect substantial differences.

The material which the FBI provided to the SSIC in 1975-76 has since been turned over by the SSIC to the recently formed Senate Select Committee on Intelligence which is headed by Senator Daniel K. Inouye. Thus, Senator Mondale (who served on the SSIC, and to whom Farago addressed his letter requesting the full text of the January 28, 1964, FBI memorandum) does not have access to the data requested by Farago. Senator Mondale probably will refer Farago's request to Senator Inouye; and in response to the virtually identical request that Farago has made of Mr. Kelley, it is felt that the Bureau should suggest to him that he contact Senator Inouye's new Intelligence Committee.

RECOMMENDATION: That this memorandum be approved and returned to the External Affairs Division so that receipt of Farago's letter can orally be acknowledged, at which time he will be told that his request for the text of the January 28, 1964, FBI memorandum should be addressed to Senator Inouye's new Intelligence Committee.

APPROVED: *[Signature]* M/74
Ext. Affairs.....
Assoc. Dir.....
Fin. & Pers.....
Dep. AD Adm.....
Dep. AD Inv.....
Asst. Dir.: *[Signature]* Ext. Affairs.....
Adm. Serv.....
Laboratory.....
Legal Coun.....
Plan. & Eval.....
Ident.....
Inspection.....
Intell.....

Done 8/31/76, at which time Farago advised that he has heard from Senator Inouye's staff regarding to the letter sent by Senator Mondale about Dr. King that he has heard from Senator Inouye's staff. GWTG
NW 54928 DocId:129895952 Page 107

LADISLAS FARAGO

Foxlair
Skyline Ridge
Bridgewater, Conn. 06752

August 12, 1976

Honorable Clarence M. Kelley
Director, Federal Bureau of Investigation
J. Edgar Hoover F.B.I. Building
Pennsylvania Avenue, N.W.
Washington, D.C.

| | |
|----------------|---|
| Assoc. Dir. | ✓ |
| Dep.-A.D. A.D. | ✓ |
| Dep.-A.D. S.A. | ✓ |
| Asst. Dir. | |
| Adm. Serv. | |
| Ext. Serv. | |
| Fin. | |
| Gen. | |
| Ident. | |
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| Int. Lab. | |
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| Plan. | |
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| Spec. | |
| Tr. I. g. | |
| Telephone | |
| Director Sec'y | |

My dear Director Kelley:

I take the liberty of sending you herewith copy of a letter I have just written to Senator Mondale which, I am confident, speaks for itself. I cannot overemphasize the importance of the issue I am raising. The possibility that the Church Committee staff has added the word "private" to the Baumgardner memorandum is the acid test of their bias and proof positive of the tendentiousness of their entire report. I am hopeful that it will be possible either for Senator Mondale or for you, my dear Mr. Director, to make available to me a copy of the entire Beumgardner memorandum for my inspection.

Permit me, sir, to take this opportunity to congratulate you on your remarkable "performance" at your press conference on August 11, and to thank you for your efforts of placing this whole matter in the proper perspective. As one of the gratifying results of your presentation I noticed the editorial in this morning's New York Times which seemed to me the first more or less objective treatment of the topic and showed: some willingness on the Times' part to give you and perhaps the Bureau under your leadership the benefit of the doubt.

REC-13

May I end this letter on a personal note that is perhaps presumptuous and uncalled for, but sincerely felt. I was rather disturbed how tired and drawn you looked, not so much physically as, indeed, emotionally, showing the stress and strain. In the interest of all of us who are in your corner, and whose gratitude to the Bureau will never diminish, I am asking you to take good care of yourself and preserve your health for the good of this country.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/28/00 BY SP2989595

Respectfully,

Ladislas Farago

Ladislas Farago

ENCLOSURE

Monroe

8/19/76

BNS

LADISLAS FARAGO

Skyline Ridge
Bridgewater, Conn. 06752

August 12th, 1976

Honorable Walter F. Mondale
 U.S. Senator from Minnesota
 Suite 443
 Russell Senate Office Building
 Washington, D.C. 20510

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11-28-00 BY SP/AL/MLW

My dear Senator Mondale:

I was gratified by your selection and nomination, and thrill at the prospect of your election as our vice president in the Carter Administration. For a long time, having watched your performance in the Senate and on the Church Committee, I was hoping for such recognition. I have come to be convinced that our nation would be restored to its historic path of basic decency if a politician like you would be moved to the top or near the top in the Executive Branch. I congratulate you on your nomination and wish you (and us) the best in November.

This, however, is not why I am writing, except that I am delighted to have this opportunity to express my sentiments. I understand that you were in supervisory charge of the Church Committee's monumental reportage on the Federal Bureau of Investigation--monumental, indeed, for your young staff did a prodigious job in researching the FBI story and performed a heroic task in unearthing data to justify your misgivings and document your charges.

However, I am not as impressed with what should have been mandatory objectivity of your staff in the exploitation and presentation of this vast research fund. The authors of your reports on the FBI were evidently overwhelmed by the negative aspects of their raw material and permitted themselves to be carried into pronounced bias which is evident on practically every page of their reports dealing with the Bureau.

I am writing what I hope will be the definitive biography of the late Director, called "The Secret American: A Political Biography of J. Edgar Hoover--Triumph or Tragedy." It will be published in 1977, by Doubleday, and made into a motion picture by 20th Century-Fox, on the pattern of my other movies, "Patton" and "Tora, Tora, Tora."

I was held up in the completion of this difficult book by the delays and vicissitudes of your investigation. Now I am rather pleased to say that, in the final analysis, it produced very little that was new to me or anything fundamental that would have altered my essentially positive attitude to the Bureau and Mr. Hoover. I felt, indeed, that far too much emphasis was placed by your Committee on the sordid and sinister, combustible and photogenic aspects of the Bureau's work and Hoover's regime, that, of course, encompassed far, far greater areas than you had time or inclination to cover.

ENCLOSURE 62-116395-1697

This was especially true in the Martin Luther King syndrome that, please believe me, is not as simple and cut-and-dry as it appears in the presentation of your conspicuously partisan staff. This is what bothers me and why I am seeking your urgent help, in order to clarify a deeply disturbing matter emerging from your final report. On page 121 in Book III, under caption "C. Microphone Surveillance of Dr. King: January 1964-November 1965 (which incidentally is the only such caption printed exclusively in capital letters, for extra emphasis, I guess), a quotation appears in fragmented form from a mysterious memorandum attributed to Frederick Baumgardner and dated January 28, 1964, according to footnote #170 on the same page. This is how the alleged Baumgardner memo is quoted:

"Justifying the need for microphone coverage, the Chief of the FBI's Internal Security Section wrote that the FBI was 'attempting' to obtain information about 'the [private] activities of Dr. King and his associates' so that Dr. King could be 'completely discredited.'"

The following passages are cited in quotation marks apparently added by the author of your report:

1. "attempting"
2. "the private activities of Dr. King and his associates"
3. "completely discredited"

The following word is put in brackets, either by Mr. Baumgardner in the original document or by the author of your report quoting from it:

[private]

To my mind, this is the key document of this particular subject, presenting what your author himself described as the justification of the microphone surveillance of Dr. King. It would have been better and more proper if the sentence had been quoted verbatim instead in its paraphrased form with quotation marks and, apparently, brackets added. In this form one cannot know, in the evaluation of this justification, was what written by Mr. Baumgardner and what was added by your author, and the contours of fakery and fraud are thus permitted to cast a reflection on the entire report.

I must know whether the bracketed word "private" was in the original or had been added, presumably to shift the emphasis of the Baumgardner memorandum and, of course, of the FBI's "attempt to obtain information"; as well as of the very nature of the information the Bureau was "attempting" to obtain.

I must know the entire context in which the words "completely discredited" were used by Baumgardner and the purpose of the truncated quotation as presented by your staff.

The simplest solution of the problem would be if you would, post festa, publish the full text of the Baumgardner memorandum, a step that would be justified by the importance of the memo itself and its significance to your presentation and argumentation. If this proves impossible at this stage of the

game, I would greatly appreciate it if you would make a copy of the memorandum available to me in its entirety, so that I could determine the actual formulation of the Bureau's reasons for the microphonic surveillance of Dr. King and the basic background of the project. I am sending a copy of this letter to Director Kelley of the Federal Bureau of Investigation, with the request that he help me in the procurement of an authentic copy of the Baumgardner memorandum; and I am writing to Messrs. William C. Sullivan and Frederick Baumgardner, asking them to clarify this matter for me.

Thanking you for your cooperation in this critical matter, on which my ultimate judgment of the authenticity and fairness of your presentation necessarily hinges, I remain, with warm regards and good wishes,

respectfully yours,

Ladislas Farago

Ladislas Farago

cc. Clarence M. Kelley
William C. Sullivan
Frederick Baumgardner

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

In considering this matter, it should be noted that the SSC was very repetitive in some of its reporting, particularly concerning the Martin Luther King, Jr., investigation and COINTELPRO. For example, the same data concerning the King matter appears in two portions of Book II (Introduction and Summary, and Findings) as well as the detailed case study included in Book III. Even within Book III, there were noted duplicate references to the same issue. Similar duplications of reporting were noted as to COINTELPRO.

In the interests of brevity, this critique will not repeat our observations once made although the objectionable material or presentation may be repeated. Also, we will not repeat those observations previously made in our earlier memoranda but merely refer below to those earlier observations found to apply to finished reports as they did for the drafts. Finally, we have concentrated in this presentation on what we consider the more significant objections, to the exclusion of minor and marginal matters.

COINTELPRO:

FBI memorandum dated March 15, 1976, contained our observations after the review of the draft of the SSC's case study concerning COINTELPRO. Our memorandum dated April 15, 1976, contained our observations of the draft of that portion of the SSC Report, Book II, headed Findings.

Most of our prior observations relating to COINTELPRO matters in the above two memoranda are applicable to the final versions of Books II and III. In summary, it is our comment that the material in Book III continues to include many editorialized comments and distortions. It is replete with items taken out of context, selected

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promiscuously to support an SSC conclusion without regard to other information available to the Committee, and set forth in a manner to depict this Bureau in a most derogatory fashion. Selected quotes of various past and present FBI personnel are set forth to support the contention of improper or illegal activities, while other material presented to the Committee by FBI depositors, or referred to the Committee in documentary form, is ignored or played down.

FBI Investigation of Martin Luther King, Jr.:

FBI memorandum dated April 8, 1976, contained our observations after the review of the draft of the SSC's case study concerning Martin Luther King, Jr. Our memorandum dated April 15, 1976, contained our observations of the draft of that portion of the SSC Report, Book II, headed Findings.

In respect to the objectionable material and presentations contained in the drafts and then repeated in the final printings, all of our prior observations in the above-two memoranda are applicable to the final versions of Books II and III. The following are our observations as to additional objectionable material and presentations noted in the final printings.

On page 223 of Book II, it is stated, "Even after Dr. King's death, Agents in the Field were proposing methods for harassing his widow."

Observations: It is true that a field office of the FBI suggested counterintelligence activities against Mrs. King. However, this suggestion was disapproved by FBI Headquarters and the field office was advised that no counterintelligence activity against Mrs. King was desired.

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It is believed that the method by which the SSC referred to the suggested activity against Mrs. King lacks objectivity in that it does not include the fact that the suggestion was rejected.

Page 146 of Book III contains a footnote, number 239, which states, "It should be noted that the Supervisor in charge of the King case is still in a high position with the FBI and handled the committee's documents requests in the King case investigation."

Observations: The information was footnoted although it appears that it would have been far more proper for it to have been included in the details rather than as a footnote. This is highly significant because, and more importantly, it is suggestive of being a gross reporting abuse. The information quoted was not included in the draft of the report which we were permitted to review. Its addition, after our review of the draft, has thus prevented our rightful ability to review this item.

Page 86 of Book III, in discussing the FBI's acquisition of information about King's personal life, stated, "Moreover, in order to preclude any further dissemination of information obtained during the electronic surveillances of Dr. King, the Committee requested the FBI to excise from all documents submitted to the Committee any information which was so obtained."

Observations: The implication in the above reporting is that the SSC attempted to avoid securing from the FBI information concerning King's personal life. We are of the view that the SSC did not adequately provide for its not being furnished such information. At no time did any of the numerous SSC requests for information concerning King specifically ask that we not furnish personal activity information. The SSC did exclude from

Senate Select Committee on Intelligence Activities (SSC)

its requests, by specific wording, information derived as the products of electronic surveillances on King himself. While it is true that this exclusion did result in our not furnishing much such information to the SSC, it is also true that we did furnish information concerning King's personal life and activities where such information met the criteria of the requests and did not derive from electronic surveillances on King. In short, the SSC's exclusions were in terms of sources rather than contents.

On pages 87 and 88 of Book III, it is reported that in 1962 the FBI ordered its field offices to review their files for "subversive" information about King and to submit that information to FBI Headquarters in reports "suitable for dissemination." Footnote number 27 on page 88 identifies the specific FBI Headquarters communication in this matter and ends with a statement that these instructions to the field were issued on the first day of King's trial in which he and 700 other civil rights demonstrators were charged in Albany, Georgia, with parading without a permit.

Observations: The manner in which the foregoing was reported implies that FBI Headquarters' instructions were affected by the trial. There is no evidence that they were.

On page 111 of Book III appears the statement, "The instruction to use 'all possible investigative techniques' appears to have dictated the intensification of the COMINFIL investigation of the SCLC." The quoted portion is in reference to a letter from the Director, FBI, to a Special Agent in Charge dated October 1, 1963, which is identified as footnote number 126 and which letter is quoted on pages 110 and 111. The significant portion of this letter is the sentence which starts, "Fullest consideration should be given to the use of all possible investigative techniques in the investigation"

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Observations: It will be noted that the Bureau communication which was documented uses the language, "Fullest consideration should be given" On the other hand, the language of the SSC report is that the instruction was to use all possible investigative techniques. Surely the SSC ought to be able to distinguish between an instruction to consider using something versus an instruction to actually use something. This, to our mind, is not objective reporting.

On page 141 of Book III appears a discussion concerning an FBI effort to dissuade a university from awarding King an honorary degree. Footnote number 257 cites an FBI memorandum from Frederick Baumgardner to William Sullivan dated March 4, 1964, and states that the officer who handled the assignment was given a letter of commendation by the Director, "and a monetary award."

Observations: The cited memorandum verifies the conferring of the letter of commendation but makes no mention whatsoever of a monetary award and no such award was received for this assignment by the "officer." While it is recognized that the discrepancy here is a relatively minor one in that we acknowledge the recognition given to the "officer," we believe that this instance of inaccurate reporting of the facts should be brought to notice.

General Observation: While a tremendous number of footnotes were used in the little over 100-page King case study, 455 in number, there nevertheless appear in these pages many statements by the SSC which are not documented and frequently fall in the general area of supposition, opinion, conclusion and the like.

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Informants: 

Book III contains a case study entitled "The Use of Informants in FBI Intelligence Investigations," pages 225-270. Review disclosed the following misleading conclusions.

Some of the conclusions are that the FBI conducts political investigations of organizations and individuals through the use of informants.

Observations: During FBI testimony before the Committee, it was repeatedly stated that we did not use informants for political purposes and all conclusions of this nature were denied by FBI officials. However, the FBI denials of these conclusions were given only minimal exposure in the Report.

In particular, the SSC made the broad allegation that informants engaged in illegal and violent activities, implying that it was with Bureau approval, which was strongly denied during the course of the SSC hearings. Again, however, the denials were given only minimal treatment in the Report. In general, the foregoing is also applicable to the material in Book II related to the use of FBI informants.

Surreptitious Entries:

In discussing warrantless break-ins by the FBI, page 13 of Book II contains a statement, "In some cases, these break-ins were to install microphones; in other cases, they were to steal such items as membership lists from organizations considered 'subversive' by the Bureau."

Observations: Organizations characterized as "subversive" were so characterized pursuant to Executive Order 10450, not by the FBI.

gj

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

Footnote number 236, page 61, Book II, contains the statement, ". . . the FBI has 'been able to identify' the following number of 'surreptitious entries for microphone installations' in 'internal security, intelligence, and counterintelligence' investigations." This was followed with statistics listing such entries for the period 1960-1963. Footnote number 525, page 110, Book II, lists statistics for such entries for the period 1964-1975, which was a continuation of the statistics in footnote number 236.

Observations: Statistics listed in the above-referred-to footnotes were included in one of the SSC's case studies on the subject of surreptitious entries in the form of an Appendix. When the FBI was permitted to review the draft of that case study, it was found that the statistics in that Appendix would require a classification of "Secret." FBI representatives brought this to the attention of SSC Staff Members John Elliff, Fred Baron and James Dick on April 26, 1976, and they agreed to delete the Appendix in the printing of the case study. The deletion was made and the statistics do not appear in the case study which is a part of Book III. However, by footnoting the classified material in the manner described above, the SSC, in effect, entered substantive information which, had it been included in the details of the draft of Book II, where it more properly belonged, would have been subject to our review and appropriate deletions could have been made.

FBI Special Indices/Custodial Detention List (CDL)

Pages 34-36, Book II, contain information under a heading entitled "Control by the Attorney General: Compliance and Resistance," which concerns the CDL. It is reported that in 1943, Attorney General Biddle ordered that

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

the CDL should be abolished as "impractical, unwise and dangerous." His directive stated that there was "no statutory or other present justification" for keeping the list. The SSC claims that, "Upon receipt of this order, the FBI Director did not in fact abolish its list. The FBI continued to maintain an index of persons 'who may be dangerous or potentially dangerous to the public safety or internal security of the United States.' In response to the Attorney General's order, the FBI merely changed the name of the list from Custodial Detention List to Security Index. Instructions to the field stated that the Security Index should be kept 'strictly confidential,' and that it should never be mentioned in FBI reports or 'discussed with agencies or individuals outside the Bureau' except for military intelligence agencies."

The SSC report then goes on to state, "This incident provides an example of the FBI's ability to conduct domestic intelligence operations in opposition to the policies of an Attorney General. Despite Attorney General Biddle's order, the 'dangerousness' list continued to be kept, and investigations in support of that list continued to be a significant part of the Bureau's work."

Observations: As noted above, the report stated that the Attorney General "ordered that the Custodial Detention List should be abolished as 'impractical, unwise, and dangerous!'" A review of a memorandum from Attorney General Biddle to Assistant Attorney General Hugh B. Cox and J. Edgar Hoover dated July 16, 1943, reveals that the Attorney General made no such statement. The memorandum does state, "There is no statutory authorization or other present justification for keeping a 'custodial detention' list of citizens." It is our contention that this statement does not effect an order to abolish the CDL. Further, when the FBI changed the name of the cards and list to Security Index, it was to be utilized in investigating dangerous

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and potentially dangerous individuals other than alien enemies, but no mention of detention was made in connection with the list.

On page 69, Book II, under a heading entitled "Domestic Covert Action," appears a statement, "The Security Index was revised to include such persons." This statement refers to a previous statement indicating that the most intensive domestic intelligence investigations, and frequently COINTELPRO operations, were targeted against persons identified not as criminals or as criminal suspects but as "rabble rousers," "agitators," "key activists," or "key black extremists," because of militant rhetoric and leadership.

Observations: The Security Index was never revised to include rabble rousers, agitators, key activists, or others as listed in the SSC report. Individuals were placed on the Security Index if, during the investigation of a particular individual, certain criteria for such placement were met. An individual could be defined as a rabble rouser, etc., and have been on the Security Index; however, as noted previously, the Index was not revised for the purpose of including such persons.

On page 72, Book II, under a heading entitled "'New Left' Intelligence," there is set forth information from SAC (Special Agent in Charge) Letter 68-21, dated April 2, 1968, which advised field offices of areas of inquiry regarding subjects of New Left investigations and of information which during the investigations might establish a potential threat to security. The report continues that such persons would also be placed on the Security Index (for detention in time of emergency) because of "anarchistic tendencies" even if membership in a subversive organization could not be proven. Footnote number 293 states that this SAC Letter did caution

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

that "mere dissent and opposition to Governmental policies pursued in a legal and constitutional manner" was "not sufficient to warrant inclusion in the Security Index." It further indicated that "anti-Vietnam or peace group sentiments" were not supposed to justify investigation. The footnote then states, "The failure of this admonition to achieve its stated objective is discussed in the findings on 'Overbreadth' and 'Covert Action to Disrupt.' "

Observations: Instructions were issued to the field regarding investigations of individuals affiliated with the New Left, as reported above. However, although the report indicates such persons would be placed on the Security Index, a more correct statement should have been that if the activities of an individual met the criteria for inclusion on the Security Index, the individual may have been placed thereon.

Commencing on page 125, Book II, under a heading entitled "The FBI's Secret 'Administrative Index,'" the report states that during the Fall of 1971, the Bureau was confronted with the prospect of the first serious Congressional curtailment of domestic intelligence investigations, referring to repeal of the Emergency Detention Act (EDA) and "set a course of evasion of the will of Congress which continued, particularly with Justice Department approval, until 1973." The report indicates that, in the event the EDA was repealed, the FBI intended to continue as before the repcal took place, and following the repeal, established a rationale for keeping the Security Index of potentially dangerous individuals. The report states, "FBI officials hoped there would be a way to circumvent the repeal 'in which the essence of the Security Index and emergency detention of dangerous individuals could be utilized under Presidential powers.' "

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

The report then goes on to describe various memoranda which were written during the time frame immediately preceding and following the repeal of the EDA. Memoranda preceding the repeal did indicate that, if the Act was repealed, there might be some future date when an emergency could occur and Congress could possibly be convinced to reinstitute such emergency procedures as outlined in the EDA. The report indicates that following the repeal the Attorney General was advised by letter of the FBI's proposal to maintain an Administrative Index (Adex) of individuals who would pose a threat to the internal security of the country. According to the report, the letter made no reference to the theory prevailing within the FBI that this new Index would serve as a basis for a revived detention program at some future date during an emergency. The report indicates that, when the Attorney General advised the FBI that the repeal of the EDA did not prohibit the FBI from compiling an Adex, he did not deal with the question of whether the Index would also serve as a round-up list for a future emergency. It is noted that the Attorney General also stated that the Department did not desire a copy of the new Index and, therefore, abdicated even the minimal supervisory role performed previously by the Department in its review of the Security Index. Such an Index as established placed the FBI in the position of being able to make the sole determination as to which individuals should be placed thereon. The report indicates that there were two major consequences of the new system in that the Index was expanded to include an "elastic category: 'the new breed of subversive'" and the Reserve Index, which "had never been disclosed to the Justice Department, was incorporated into the Administrative Index." The report further sets forth one of the standards for including an individual on the Adex to indicate the breadth of this list. These criteria were furnished the Department in 1972 and "the Attorney General did not question the fact that the Administrative Index was more than an administrative aid for

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

conducting investigations, as he had previously been told." One memorandum indicated a representative of the Department agreed with the view held that there might be circumstances wherein it would be necessary to quickly identify individuals who were a threat to the national security and the President could then go to Congress for emergency legislation permitting apprehension and detention. This section of the report concludes by indicating that, although the Attorney General did not formally authorize the Adex as a continuance of the previous detention list, there was informal Departmental knowledge that the FBI would proceed on that basis, and later one FBI official recognized that the Adex could be interpreted as a means to circumvent repeal of the EDA.

On page 127, under a heading entitled "Reconsideration of FBI Authority," a discussion ensues regarding the authority of the FBI to conduct domestic intelligence investigations and notes that the Bureau relied on various Executive Orders for its basis for authority in this field and that there was no indication that FBI guidelines material or manual provisions were submitted to or requested by the Justice Department prior to 1972. As a result of studies during that time period, the Bureau proceeded to revise pertinent manual sections and Adex standards. As a result of these revisions, it was intended that the Adex would be trimmed to those who were "an actual danger now." The revision of the manual was completed in 1973 and applied existing Federal statutes as a basis for the investigations in the domestic area. Upon instituting these new standards, the Department of Justice was then furnished copies of the manual section for domestic subversive investigations.

Footnotes in this section furnish a description of the new breed of subversive as being in essence a nihilist plotting to overthrow the United States Government or a revolutionary black extremist who might be

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

unaffiliated. The statement regarding an FBI official recognizing that the Adex could be interpreted as a means to circumvent repeal of the EDA was identified as having come from an FBI Domestic Intelligence Division position paper regarding the scope of authority, jurisdiction and responsibility in domestic intelligence investigations. Another footnote indicates that this position paper was composed at the direction of then Assistant Director E. S. Miller and was prepared by T. J. Smith, and indicates that the position paper concluded that domestic intelligence investigations could practically be based on the concept that their purpose would prevent a violation of the statutes and further indicates the Adex would be revised so it could not be interpreted as a means to circumvent repeal of the EDA. Footnotes further indicate that, prior to redefining of Adex criteria in 1972, there were some individuals included on the Adex who did not realistically pose a threat to the national security and this would leave the Bureau in a vulnerable position if FBI guidelines were scrutinized by interested Congressional committees.

Observations: The entire theme of the SSC report regarding the formation of the Adex is that such an index was established primarily to evade the will of Congress and continue as a listing of persons to be apprehended during time of emergency. It is suggested that this section is a highly opinionated treatment of an extremely controversial subject and one which was prepared through the select use of quoted passages in an attempt to prove that the FBI was evading the will of Congress. The report indicates that the course relating to the Adex was pursued by the FBI until such time as inquiries were made as to FBI authority to conduct domestic intelligence investigations, and then upon fear of disclosure of the nature of the Adex, the standards were changed so the program could be used as an administrative aid as had been the stated purpose throughout the course of the program.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

Memoranda were prepared at the time of the repeal of the EDA which did discuss a temporary continuance of the old Security Index until such time as the Attorney General could be consulted as to possible alternatives to the EDA. It was felt at that time that such a listing should be continued as persons so listed continued to represent a potential danger to the national defense, and should the U. S. come under attack by hostile forces, foreign or domestic, there was nothing to preclude the President from going before Congress and requesting the necessary authority to apprehend and detain those who were considered a menace to the national defense. If such an emergency were to occur, it was believed essential for the FBI to have a listing available of individuals, backed up by investigative files, which would provide documentation of subversive backgrounds for use during any hearings which could subsequently occur.

Additionally, such a listing of subversives would be valuable in providing Secret Service with a flow of data concerning such individuals who could pose a threat to the safety of the President. Memoranda prepared indicate that with the repeal of the EDA, the only prohibition which concerned the FBI would preclude use of executive authority for apprehension and detention, and Congress utilized the language at the time of the repeal that "no citizen is to be imprisoned or otherwise detained by the U. S. except pursuant to an act of Congress." In addition, there were discussions that care should be taken in this regard to avoid criticism in pursuing such a course inasmuch as it might appear to be an attempt to evade the will of Congress.

A study was conducted to determine whether repeal of the EDA removed any legal basis for security investigations and it was concluded that the repeal would not interfere, limit, or militate against investigations of the subversives inasmuch as the effect would be to outlaw apprehension and detention of subjects alleged to be dangerous in time of national emergency.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

It was further noted that an act such as the EDA could easily be put back in force should an emergency convince Congress of its need, and as stated above, no such action could be taken without an act of Congress. Prior to the institution of the Adex, the FBI directed a letter to the Attorney General asking for his views concerning FBI authority to continue investigations of subversive activity covered in part by the remaining effective portions of the Internal Security Act of 1950 and whether the FBI could maintain an Adex of individuals which might be necessary for the FBI to fulfill its responsibilities. The letter indicated that such a listing would serve as an extremely valuable list of individuals who pose a continuing threat to the safety of the President; and of individuals who have exhibited a propensity to conduct acts inimical to the internal security of the nation.

The Attorney General replied that the repeal of the EDA did not affect the FBI's authority to investigate violations of espionage, sabotage, Smith Act, and related statutes, as well as subversive activity and related matters in accordance with our statutory responsibilities and Presidential directives. Furthermore, the repeal of the Act did not alter or limit the FBI's authority and responsibility to recall, file and index information secured pursuant to the FBI's statutory and Presidential authority. The Adex, when originally established, was meant to provide a readily retrievable means for obtaining the results of the FBI's investigations into subversive activities and related matters. There were no provisions for emergency apprehension and detention for individuals so listed. In fact, the former Security Index did not contain provisions for apprehension and detention for individuals so listed. It was merely a list to be utilized in conjunction with the Department of Justice's Emergency Detention Program and later the EDA for any apprehensions and detentions. Upon instituting the Adex, the criteria were fairly broad and did resemble those of the former Security Index and the Reserve Index inasmuch as it was believed that individuals placed on the Adex would of necessity

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

be similar to those who had been on the former Security Index because it was the same type of individual in which we would have an interest during an emergency. However, although there were similarities, it should again be noted that there were no longer plans for emergency apprehension and detention since the statute allowing for same had been repealed by Congress. As a result of the broad criteria first utilized for the Adex, it readily became apparent that the number of individuals so listed was unwieldy. Through a careful review during late 1972, it was determined that the only standard for inclusion on the Adex would be whether or not an individual could be considered as an actual danger "now."

It is our contention that although discussions were held and memoranda prepared concerning the similarities of the former Security Index and the Adex, there was nothing to preclude overtures to Congress in the event of an emergency in order to reinstitute measures similar to those provided for in the EDA. The purpose of the Adex was that it was to be used as an administrative index representing a list of priority cases then under investigation by the FBI and which could be used to help insure that the responsibilities of the FBI would be fulfilled in the event of an emergency. The Adex was established not with a specific view of being used for detention purposes. It is our further contention that such a list was not prepared to be used in defiance of Congress as stated in the SSC report.

Finally, the SSC report implies that the entire Reserve Index was included in the Adex when the latter was first established. This is not so as only a portion of the Reserve Index, namely Section A, was added to the Adex when first established. Section A was essentially considered as Category IV of the Adex until such time as the individual cases placed therein could be reviewed and a determination made whether the criteria in the new Adex under Category IV was met in each individual case. If such was not the case, the individual's name was removed from the Adex. During this review, the cases of those individuals whose names were then maintained in Section B of the old Reserve Index were also reviewed to determine if the activities of any included therein then met the new Adex criteria.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

Miscellaneous:

Referring to Book II, "Intelligence Activities and the Rights of Americans," the portion headed Introduction and Summary contains material under a subheading Cost and Value. On pages 18 and 19 effort is made to show that the FBI had sweeping domestic intelligence surveillance programs which produced few useful returns in view of their extent. As an example, it is stated that, "Between 1960 and 1974, the FBI conducted over 500, 000 separate investigations of persons and groups under the 'subversive' category, predicated on the possibility that they might be likely to overthrow the government of the United States." This sentence refers to footnote number 106 which states, "This figure is the number of 'investigative matters' handled by the FBI in this area, including as separate items the investigative leads in particular cases which are followed up by various field offices. (FBI memorandum to Select Committee, 10/6/75.)"

Observations: The facts relating to this matter are as follows. An SSC request dated September 12, 1975, Item 6a, asked for, "The annual number of Bureau (headquarters) case files opened under categories 100- and 157- for the years 1960 through 1974." Our response was contained in a memorandum to the SSC dated October 6, 1975, which stated that, in response to Item 6a, the following information was furnished. There was then set out in a three-column chart showing by specific years, 1960 through 1974, the number of cases opened at Headquarters in the 100- and 157- classifications. The total for 100- was 49, 621. The total for 157- was 33, 316. This made a grand total of 82, 937. When examining the facts as set forth above and comparing them with what is in the SSC report, including the footnote, it is readily apparent that the SSC has set forth a very misleading figure when stating that, during the pertinent period, we conducted over 500, 000 separate investigations of persons. We do not know where the SSC obtained that figure but, from the footnote which speaks about "investigative matters" and "leads," it appears that they have arrived at some

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

figure relating to total matters in all field offices which, in many instances, results from counting a single case on a single individual several times. The true number of separate investigations during the pertinent period is barely 83,000, which figure is so far removed from the quoted figure of 500,000 as to make the Committee's claim highly misleading and deceptive, to say nothing of its being absolutely incorrect.

On page 116, under a subheading Political Intelligence, it is stated, "The FBI practice of supplying political information to the White House and, on occasion, responding to White House requests for such information was established before 1964." It is also claimed that the practice grew to "unprecedented dimensions under Presidents Johnson and Nixon."

Observations: We view the use of the terms "practice," "political information," and "unprecedented dimensions" as unjustifiably overemphatic to describe what was at best an incidental, non-programmed release of information from our files, which information was basically disseminated by the FBI under the procedures set forth by the provisions of the Loyalty Program (Executive Order 9845), succeeded by Executive Order 10450. While there were a few isolated instances where the FBI may have volunteered information which could be labeled as "political," practically all of the implied abuses claimed by the SSC were originated by the administration in office and grew at a rather steady rate from President Eisenhower's administration through the administrations of Presidents Kennedy, Johnson and Nixon. We therefore view the term "unprecedented dimensions" as self-serving to those desiring to be critical of the FBI.

On pages 116 and 117 appears information under a subheading Name Check Requests. It is stated that White House aides serving under Presidents Johnson and Nixon made numerous requests for name checks of FBI files to elicit "all Bureau information" on certain individuals.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

Observations: The term "all Bureau information" is incorrect as the FBI's working procedures with the White House stress only derogatory information as it relates to name checks.

Book II contains a section entitled "Findings." On page 261, under Subfinding (c), it is stated that, "It has been the policy of the FBI, and presumably other agencies as well, to disseminate via name check reports any information in its files - no matter how old or how unreliable - which might relate to the standards of the Executive Order." (Presumed reference is to Executive Order 10450)

Observations: The phrase, "no matter how old or how unreliable," reflects neither FBI policy nor FBI practice in dissemination of information in Federal Employee Security cases. In fact, FBI dissemination policy as set forth in the FBI Manual of Rules and Regulations, Part II, Section 5, and referred to in footnotes in Book II on four separate instances, requires that standards of verification or reliability be clearly pointed out. These four instances may be found on pages 2, 3, 4 and 10 of Section 5. On page 4, there is specifically spelled out the requirement, "in each instance every reasonable effort should be made to provide additional descriptive information regarding the source which will enable recipient agencies to intelligently evaluate the information." Further, we know of no standards by which we may establish that information becomes worthless after a certain time. Instead, it is the relevance of the information and not its age that governs the dissemination. Finally, the purpose of the Executive Order involved is to authorize investigations of allegations that the conduct of Federal employees or applicants does not meet the standards of the Executive Order. No personnel action is possible without a thorough investigation of the allegations.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

NOTE:

This LHM is a compilation of data furnished by personnel in the various substantive Headquarters sections and divisions, which personnel have the expertise in the various areas covered and reviewed the pertinent SSC reports. Refer to page 21, paragraphs 3 and 4: Bringing to notice the correct date of an SSC interview of William C. Sullivan (4/21/76), not 4/21/75, of considerable significance, per Assistant Director Bassett. Contact with SSC Staff Member Johnston was by S. F. Phillips of the Senstudy 75 Project. Refer to page 22: Former Soviet Section supervisor is Robert E. Lenihan, contacted by Phillips. Significance of bringing to notice the inaccuracy of the SSC claim that Lenihan had been charged with reviewing all FBI files lies in our contention throughout our dealings with the SSC of the impracticability of reviewing all FBI files when responding to its requests.

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| APPROVED: | Ext. Affairs..... | Laboratory..... |
| Assoc. Dir..... | Fin. & Pers..... | Legal Coun..... |
| Dep. AD Adm..... | Gen. Inv..... | Plan. & Eval..... |
| Dep. AD Inv..... | Ident..... | Rec. Mgmt..... |
| Asst. Dir.: Adm. Serv..... | Inspection..... | Spec. Inv..... |
| | Intell..... | Training..... |

Police Foundation

1909 K Street NW
Suite 400
Washington DC 20006
Phone (202) 833-1460

Francis W. Sargent
Chairman of the Board

Patrick V. Murphy
President

Sincerely August 12, 1976

Mr. William O. Cregar
Deputy Assistant Director
Intelligence Division
Federal Bureau of Investigation
Washington, D.C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-21-00 BY SP2949/RW

Dear Bill:

I want to let you and Assistant Director Leavitt know how pleased I am with the decisions announced by Director Kelley yesterday. It is my strong belief that they will strengthen your ability to accomplish your objectives in the future, even though there may be some difficulties in the short run.

EX-111 REC-13 62-116395-1696

In addition, the recent steps taken to cooperate with the Senate Intelligence Committee's exercise of oversight regarding foreign intelligence electronic surveillance are a welcome development. I am confident that the Committee will discharge its duties responsibly, and that such oversight can broaden support for vital Bureau activities.

As you may know, my work as principal consultant for the Police Foundation project on FBI internal security intelligence operations has resumed. Although I am regularly in touch with John Hotis, I hope to have an opportunity in the coming months to meet with you and Mr. Leavitt.

21 SEP 8 1976

Sincerely,

John T. Elliff
John T. Elliff

*51106
62-116395
DC*

J. T. Elliff

PoliceFoundation

1909 K Street NW
Suite 400
Washington DC 20006

ALL INFORMATION CONTAINED
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DATE 11/20/01 BY JAC/je

40-26

Mr. William O. Cregar
Deputy Assistant Director
Intelligence Division
Federal Bureau of Investigation
Washington, D. C.

2 - Mr. J. A. Mintz
(1 - P. T. Blake)
1 - Mr. A. J. Decker
(Attn: T. H. Bresson)

Mr. T. W. Leavitt

8/6/76

S. F. Phillips

1 - Mr. T. W. Leavitt
1 - Mr. J. G. Deegan
1 - Mr. P. E. Nugent
2 - Mr. S. F. Phillips

MARTIN LUTHER KING, JR.

PURPOSE: To advise of "Departmental views" concerning information in our files regarding associates of King and how it is to affect our furnishing FBI documents to King estate.

SYNOPSIS: We are negotiating with Department guidelines to follow in preparing FBI documents for delivery to the King estate. Guidelines incorporated into a Memorandum of Understanding (MOU) furnished to Department for Attorney General (AG) concurrence. Tentatively, privacy issue as to third parties to be handled by excising from documents derogatory information but leaving names in. Discussion with Steve Blackhurst, Assistant Special Counsel for Intelligence Coordination, revealed that certain information which FBI has traditionally included in documents relating to subversive backgrounds of individuals because FBI considered such information as derogatory, in a security sense, is not considered by Blackhurst as derogatory. Blackhurst was advised that if we are to properly process the documents for the King estate it will be necessary for the Department to furnish a definition of "derogatory." Blackhurst agreed, intends to confer with other Department components and Bureau will be further advised.

ACTION: None. For information.

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DATE 11-28-00 BY SP2 ALM/leu

100-11637-
NOT RECORDED

46 AUG 16 1976

100-106670

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1 - 62-116395 (SENSTUDY 75)

SFP:jdp SEE ADDENDUM OF INTELLIGENCE DIVISION PAGE FOUR
(10)

84 AUG 19 1976

Memorandum to Mr. T. W. Leavitt
Re: Martin Luther King, Jr.
100-106670

DETAILS: By way of background, we are presently negotiating with the Department guidelines for our implementation of an AG instruction to furnish to the estate of Martin Luther King, Jr., copies of all FBI documents previously given to the Senate Select Committee on Intelligence Activities. A principal element in negotiations relates to what should and what should not be excised from the documents prior to delivery to the King estate (classified information, identities of informants, etc.). The attorneys on behalf of the King estate are Harry Wachtel and Stanley David Levison who were advisors to King and who are prominently mentioned in many of the documents involved. We have been working with Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination, and his assistant, Steve Blackhurst, in arriving at guidelines to be followed in this project which consists of our reviewing and processing for delivery about 2 to 2½ file cabinet drawers of materials.

On 8/5/76 S. F. Phillips, INTD, who is coordinating this matter, hand delivered to Blackhurst a Bureau letter to the AG and an accompanying MOU by which we intend to formalize our negotiations and obtain the AG's concurrence with the MOU. A critical item in the MOU relates to privacy and states that names of individuals other than King will not be excised but any derogatory information about them will be excised. Phillips took the occasion of the delivery of the MOU to raise with Blackhurst possible special considerations concerning Wachtel and Levison inasmuch as they are mentioned in documents and are also the King estate attorneys in this matter. Phillips inquired as to whether their names and information about them should be treated any differently in the processing of the King documents. Blackhurst did not think so and discussion ensued as to type of information concerning Wachtel and Levison appearing in the documents. Phillips commented that some of the documents will undoubtedly characterize Wachtel as having been a member of the National Lawyers Guild, an organization cited as a communist front by the former House Committee on Un-American Activities. Blackhurst replied that such information should not be considered as derogatory. Phillips then referred to the fact that Wachtel's wife had once been reported to be a member of the Communist

CONTINUED - OVER

Memorandum to Mr. T. W. Leavitt
Re: Martin Luther King, Jr.
100-106670

Party and such might appear in the documents. Blackhurst said that he recalled that such information is in some of the documents but that, again, it should not be considered as derogatory.

At this point Phillips told Blackhurst that he did not intend to argue the merits of the position which we have traditionally taken over the years in our security reporting; namely, that such information as cited above is included because it is considered derogatory, in a security sense. Phillips pointed out that as there is such a wide variance in understanding as to the meaning of "derogatory," the views he just expressed versus Blackhurst's expression, it was believed best that the Department define "derogatory" as it is to be used in implementing the privacy aspects of the documents. Blackhurst agreed and said he desired to confer with Department experts in the Freedom of Information and Privacy Acts fields and others. It was then agreed that the Department, in responding to our letter to the AG asking for concurrence with the MOU, would also furnish the necessary definition of "derogatory" or other information to guide us in processing the documents.

Another matter discussed with Blackhurst and on which full agreement was reached concerned the fact that some of the documents will contain material completely extraneous to King. We will be excising such information from the documents we process.

CONTINUED - OVER

The following information resolving the problem discussed herein was telephonically furnished to SA Phillips by Mr. Blackhurst, 4:30 p.m., 8/6/76.

Blackhurst discussed the privacy issue problem and the matter of "derogatory" material with other Departmental officials and, on their advice, he telephoned Levison. Blackhurst told Levison that, normally, there would be excised from the documents information which is of a personal nature or derogatory, and that this would include information as to the personal life of an individual and also concerning their political associations. It would include information concerning a person belonging to a "far left" or "far right" type organization and Blackhurst used as an example the Ku Klux Klan. Blackhurst told Levison that some of the documents involved had information concerning him, as well as concerning Mr. and Mrs. Harry Wachtel, and that if information of a derogatory nature concerning these three individuals is to be left in the documents, it would first be necessary for Levison/Wachtel to furnish the Department a letter to that effect. Levison took the matter under advisement and then called Blackhurst back and told him that the Department would receive a letter consenting to have the derogatory information concerning Levison and the Wachtels left in the documents.

On the basis of the foregoing, Blackhurst advised Phillips that we could go ahead with our project and to leave the derogatory information concerning the three individuals in the documents unless it called for excision for such other reasons as classification or protection of sources. As to all other third parties, Blackhurst advised that the Bureau could operate on the basis of its traditional understanding of the term derogatory. The Bureau will be furnished a letter from the Department indicating the AG's concurrence with the MOU and advice concerning the written consent which the Department is to receive.

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
2 - Mr. D. W. Moore, Jr.
(1 - Mr. H. A. Boynton, Jr.)

The Attorney General

March 22, 1976

Director, FBI

1 - Mr. T. W. Leavitt
1 - Mr. F. J. Cassidy
1 - Mr. J. G. Deegan
1 - Mr. R. L. Shackelford
1 - Mr. S. F. Phillips
1 - Mr. D. Ryan

UNITED STATES SENATE SELECT
COMMITTEE TO STUDY GOVERN-
MENTAL OPERATIONS WITH RESPECT
TO INTELLIGENCE ACTIVITIES (SSC)

Attached for your information are an original and one copy of a memorandum which sets forth a statement submitted on March 3, 1976, by FBI reviewers after reviewing on the same date the draft Senate Select Committee report entitled "Cointelpro: The FBI's Covert Action Programs against American Citizens."

A copy of the memorandum is also being furnished for your records.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-28-00 BY SP24/cb

REC-114 E ALT.

Enclosures - 3

62-116395

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
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Comp. Syst. _____
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Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____

1 - The Deputy Attorney General (Enclosure)
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

1 - 62-116009 (Cointelpro)

DR:lfj (16)

APPROVED:
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Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Admin. _____

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Training _____

AUG 20 1976
MAIL ROOM

TELETYPE UNIT

GPO : 1975 O - 569-920

1 - Mr. J. S. Adams
2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
2 - Mr. D. W. Moore, Jr.
(1 - Mr. H. A. Boynton, Jr.)
1 - Mr. T. W. Leavitt
1 - Mr. F. J. Cassidy
1 - Mr. J. G. Deegan

62-116305

March 22, 1976

1 - Mr. R. L. Shackelford
1 - Mr. S. F. Phillips

UNITED STATES SENATE SELECT COMMITTEE 1 - Mr. D. Ryan
TO STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

On March 3, 1976, after reviewing at the Senate Select Committee (SSC) offices a draft report of the Committee entitled "Cointelpro: The FBI's Covert Action Programs against American Citizens," FBI representatives furnished the following statement in handwritten form to Miss Barbara Banoff of the SSC staff:

At the invitation of the Senate Select Committee (SSC) staff, on 3/2-3/76, FBI representatives reviewed the draft report of the Committee dated 2/24/76, entitled, "Cointelpro: The FBI's Covert Action Programs against American Citizens." Items appearing in this report which require classification have been separately identified on this date to the SSC staff.

The SSC draft report is based upon selective documentation using out-of-context quotes from FBI correspondence and depositions in support of conclusions which are phrased in a subjective and condemnatory manner in language calculated to present the Bureau in a most unfavorable light.

As the entirety of the draft is couched in phrases intended to indicate the Bureau deliberately violated constitutional rights, and that that violation was in fact its motive; and as the FBI reviewers had no concurrent access to the depositions and other documentation referred to in the draft, it is felt no purpose would be

1 - 62-116009 (Cointelpro)

SEE NOTE PAGE 2

DR:lfj 15j

ORIGINAL AND ONE COPY TO
ATTORNEY GENERAL

(17)

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
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Comp. Syst. _____
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Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM

TELETYPE UNIT

GPO : 1975 O - 569-920

United States Senate Select Committee to
Study Governmental Operations with
Respect to Intelligence Activities (SSC)

served in attempting to refute the allegations page by page. Nor would any valid purpose be served in attempting to argue with or contradict conclusions reached by the draft's authors. Therefore, no comment will be made on the content of the draft.

Finally, it is a matter of concern that inadequate consideration was given to the rights of privacy of those mentioned directly or indirectly in the draft, whether private citizens, organizations which cooperated with the FBI, or officials.

1 - The Attorney General
1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

NOTE:

See letter to Attorney General dated 3/22/76, captioned as above, prepared by DR:lfj, which is an enclosure to Mr. F. J. Cassidy to Mr. T. W. Leavitt memorandum dated 3/8/76, captioned "Senstudy 75."

APPROVED: *[Signature]*

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| Assoc. Dir..... | Comp. Syst..... | Laboratory..... |
| Dep. AD Adm..... | Ext. Affairs..... | Legal Coun..... |
| Dep. AD Inv..... | Gen. Inv..... | Plan. & Eval..... |
| Asst. Dir.: Admin..... | Ident..... | Rec. Mgmt..... |
| | Inspection..... | Spec. Inv..... |
| | Intell..... | Training..... |

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1-P.T. Blake)
1 - Mr. A. J. Decker
(Attn: T.H. Bresson)
7730776

Mr. T. W. Leavitt

J. G. Deegan

MARTIN LUTHER KING, JR.

1 - Mr. T. W. Leavitt
1 - Mr. J. G. Deegan
1 - Mr. G. T. Tunstall
1 - Mr. P. E. Nugent
2 - Mr. S. F. Phillips

PURPOSE:

To secure approval for expediting the deliveries to the King estate of FBI communications by excising classified information from them rather than following full "classification review" procedures.

SYNOPSIS:

We are initiating project in fulfillment of Attorney General's (AG) instructions to furnish King estate all documents concerning King previously given to the Senate Select Committee (SSC). All classified information will be excised. Large volume of material involved. As the AG has instructed expeditious handling, we will work from material already segregated and maintained by SENSTUDY 75 Project. In connection with EO 11652 (Classification of National Security Information), processing of material for dissemination under Freedom of Information and Privacy Acts (FOI - PA) and other dissemination generally calls for a "classification review" whereby every original document in file is assessed for classification on a paragraph-by-paragraph basis and appropriately marked. Because of expedite nature and large volume of material in King estate request, we propose to merely excise classified information from our copies of the documents we gave to the SSC, rather than following full "classification review" procedures.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/28/00 BY SP29A/C/Ru

100-106670

CONTINUED - OVER

1 - 62-116395 (SENSTUDY 75)

6-1-11-5

SFP:jdp
(12)

NOT RECORDED

46 AUG 16 1976

84 AUG 19 1976

Memorandum to Mr. T. W. Leavitt
Re: Martin Luther King, Jr.
100-106670

ACTION:

Upon approval, we will process the material for the King estate as proposed by excising all classified information rather than a full "classification review" of original documents.

DETAILS:

As you are aware, we are initiating a project whereby, on instructions of the AG, we will be furnishing to the King estate copies of all communications in our files concerning King which we had previously furnished to the SSC. Procedures being worked out with the Department to implement those instructions include our excising, among other data, all information of a classified nature. An extremely large volume of material is involved as the SSC King inquiry was very broad and the Department desires us to include considerable peripheral material in responding to the King estate request. The AG has asked that this endeavor be expedited and that we make deliveries to the King estate (through the Department) as we complete processing of various segments of the whole.

CONTINUED - OVER

Memorandum to Mr. T. W. Leavitt
Re: Martin Luther King, Jr.
100-106670

In order to readily identify the material we furnished to the SSC concerning King, including the peripheral documents, we will be using as a working base the copies maintained by the SENSTUDY 75 Project. We will thus be able to bypass the very time-consuming step of locating the originals of these documents in our files. The Department is in agreement with our intention to follow this procedure.

In connection with Executive Order 11652, we generally follow the practice when making current dissemination (such as under the FOI - PA and other types of dissemination) of making a "classification review" of every document. This involves locating the original documents in our files and making a paragraph-by-paragraph assessment as to classification and then adding the appropriate markings to the documents in file. However, in order to expedite the processing of the voluminous material involved for the King estate, we are proposing that we merely excise the classified information from copies maintained of the documents given to the SSC, rather than following full "classification review" procedures involving original documents.

DANIEL K. INOUYE, HAWAII, CHAIRMAN
HOWARD H. BAXTER, JR., TENN., VICE CHAIRMAN
BIRCH BAYH, IND.
ADLAI E. STEVENSON, JR., ILL.
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GARY HART, COLO.
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BARRY GOLDWATER, ARIZ.
ROBERT T. STAFFORD, VT.
JAKE GARN, UTAH

United States Senate

SELECT COMMITTEE ON INTELLIGENCE

(PURSUANT TO S. RES. 400, 94TH CONGRESS)

WASHINGTON, D.C. 20510

June 29, 1976

| | |
|----------------|---|
| Assoc. Dir. | ✓ |
| Dep.-A.D.-Adm. | ✓ |
| Dep.-A.D.-Inv. | ✓ |
| Asst. Dir.: | |
| Adm. Serv. | ✓ |
| Ext. Affairs | ✓ |
| Fin. & Pers. | ✓ |
| Gen. Inv. | ✓ |
| Ident. | ✓ |
| Inspection | ✓ |
| Intell. | ✓ |
| Laboratory | ✓ |
| Legal Coun. | ✓ |
| Plan. & Eval. | ✓ |
| Rec. Mgmt. | ✓ |
| Spec. Inv. | ✓ |
| Training | ✓ |
| Telephone Rm. | ✓ |
| Director Sec'y | ✓ |

Honorable Clarence M. Kelley
Director
Federal Bureau of Investigation
J. Edgar Hoover Building
Washington, D. C. 20535

Dear Director Kelley:

Thank you for your letter of June 22, 1976, calling my attention to the important questions raised by the proposed testimony in various judicial proceedings of a former employee of the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities. I am concerned about the possible impact of events such as this on the work of the Senate Select Committee on Intelligence and I have instructed William G. Miller, the Committee's staff director to be sure that the issues which are raised are considered during the drafting of both the Committee's rules and the Committee's employment agreements.

Alma,

Daniel K. Inouye
Chairman

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HEREIN IS UNCLASSIFIED
DATE 11-28-00 BY SP2 ALM/RS

Original Filed 6/11
30

62-116395-3
NOT RECORDED
2 AUG 16 1976

8-10
JUN 30 1976

cc 62-116395

Refuge of 6-16-76

The Attorney General

1 - Mr. Adams
1 - Mr. Leavitt
1 - Mr. Moore
1 - Mr. Mintz

June 22, 1976

Director, FBI

2 - Mr. Daly
① - Mr. Stassinos

ARTHUR JEFFERSON, MARY DE OREGO;
FORMER SENATE SELECT COMMITTEE
STAFF MEMBERS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-27-00 BY SP2A/MS/2

For your information, Harold Taylor is one of three Los Angeles, California, Black Panther Party (BPP) members on trial in the Superior Court in California for attempted murder of a policeman on September 10, 1971. Throughout the trial the defense has attempted to establish that the FBI's COINTELPRO harassed the defendants and caused them to commit the crime. The defense has subpoenaed and is introducing the oral testimony of Arthur Jefferson, who qualified as an expert witness on the basis of being an investigator or employee of the Senate Select Committee (SSC). Mr. Jefferson is identified in SSC reports as an SSC counsel. In the SSC final report dated April 26, 1976, and entitled "INTELLIGENCE ACTIVITIES AND THE RIGHTS OF AMERICANS," Mr. Jefferson is listed as one of two principal staff authors of the report "The FBI's Efforts to Disrupt and Neutralize the Black Panther Party."

In addition to the Los Angeles trial, FBI employees, former employees and an informant have been named as co-defendants in a civil action captioned "Iberia Hampton, et al., v. Edward Hanrahan, et al., (U.S.D.C., N.D. Ill.) Civil Action number 70-C-1384 Consolidated," in Chicago, Illinois. This action was brought by heirs of two BPP members killed in a December 4, 1969 shooting between BPP members and Chicago Police officers assigned to the State's Attorney's Office, Cook County, Illinois. Our COINTELPRO has been interjected into this trial by the plaintiffs' allegations that the shooting was a culmination of a series of FBI COINTELPRO actions directed against the BPP. Mr. Jefferson is listed as a witness for the plaintiffs in this trial.

Also in connection with the recent civil action styled "Eldridge Cleaver, et al., v. Clarence M. Kelley, et al., U.S.D.C., D. C., Civil Action number 76-0795," on May 20, 1976, at the instruction of United States District Court Judge June L. Green, FBI personnel met with Department of Justice Civil Division

JOS:mcz
(11)

NOT RECORDED CONTINUED - OVER
2 AUG 16 1976

SEE NOTE PAGE THREE

The Attorney General

attorneys and plaintiffs' attorney in attempt to explore ways of narrowing plaintiffs' Freedom of Information Act request sufficiently to allow easy retrieval. Plaintiffs' counsel, Robert Cornell, of the law firm Truitt, Fabrikant, Bucklin and Lenzner of Washington, was accompanied by one Mary De Oreo who was apparently serving as a consultant. Mr. Cornell subsequently advised a Departmental attorney that Ms. De Oreo is associated with his law firm.

Senate Select Committee reports identify Mary De Oreo as a Research Assistant of the SSC. Book II of the final report of the Senate Select Committee report entitled "INTELLIGENCE ACTIVITIES AND THE RIGHTS OF AMERICANS," identifies De Oreo as assisting in the preparation of SSC report entitled, "COINTELPRO: The FBI's Covert Action Programs Against American Citizens," and "Dr. Martin Luther King, Jr., Case Study."

Senate Resolution 21, of January 21, 1975, establishing the Select Committee To Study Governmental Operations With Respect To Intelligence Activities, Section 3, states in part that, "As a condition of employment---each person shall agree not to accept any honorarium, royalty or other payment for speaking engagement, magazine article, book, or other endeavor connected with the investigation and study undertaken by this Committee."

Rule 7.5 of the Rules of Procedure for the Senate Select Committee, adopted April 9, 1975, states, "No testimony taken including the names of witnesses testifying or material presented at an Executive Session, or classified papers, and other materials received by the staff or its consultants while in the employ of the Committee shall be made public, in whole or in part or by way of summary, or disclosed to any person outside the Committee, or after the termination of the Committee, in such manner as may be determined by the Senate."

Rule 7.6 states, "Before the Committee is called upon to make any disposition with respect to the testimony, papers, or other materials presented to it, the Committee members shall have a reasonable opportunity to examine all pertinent testimony, papers and other materials that have been obtained by the Committee staff. No members shall release any such testimony, papers, or other materials, or any information contained in such testimony, papers, or other materials, to the public or any person outside the Committee unless authorized by a majority vote of the entire Committee, or after the termination of the Committee, in such manner as may be determined by the Senate."

CONTINUED - OVER

Retype of 6-18-76

The Attorney General

Mr. Stassinos

Date changed to

6-22-76

Given the above, I question the propriety of Mr. Jefferson's appearance at the Los Angeles and Chicago BPP trials, and qualifying as an expert witness on the basis of his association with the SSC. I also question Ms. De Oreo's assisting the plaintiffs' attorney in the Eldridge Cleaver case.

I am separately corresponding with Senator Daniel K. Inouye, Chairman, Senate Select Committee on Intelligence, to bring this matter to his attention, since he will be engaged in the preparation of guidelines for the new oversight committee. A copy of this correspondence is enclosed.

Enclosure

1 - The Deputy Attorney General - Enclosure.

1 - Assistant Attorney General - Enclosure
Office of Legislative Affairs

NOTE: Reference memorandum dated May 27, 1976, from J. G. Deegan to Mr. Leavitt, captioned, "HAROLD TAYLOR, EM-BPP" enumerating material contained in letter to the Attorney General. Regarding subpoenaed materials, mentioned in referenced memorandum from our Los Angeles and San Diego Divisions, these materials are all contained in the footnotes to Book III of the Senate Select Committee Final Report, dated April 23, 1976, in chapter entitled, "THE FBI'S COVERT ACTION PROGRAM TO DESTROY THE BLACK PANTHER PARTY," pages 187-223.

(Mount Clipping in Space Below)

Other Voices/Eugene Patterson

Sweet Lies Soothe Hoover

EDITOR'S NOTE: Eugene Patterson is president and editor of The St. Petersburg Times, where this column originally appeared. He was editor of The Atlanta Constitution 1960-1968.

While the late J. Edgar Hoover was directing agents of his Federal Bureau of Investigation to smear and ruin private citizens he didn't like, he was being deluded within his own headquarters, we now learn, by deceitful reports from assistants who apparently told the director what he wanted to hear.

Not only was Hoover dangerously misusing the federal police powers, he was being fed false and obsequious information on which to base his reprehensible acts.

That double danger surfaced last week when a staff study was released on the Senate investigation into FBI spying on American citizens in Hoover's time.

The study contained a memo from William Sullivan, Hoover's deputy, to Hoover. This writer has personal knowledge that the information Sullivan fed his superior was false.

Sullivan told Hoover in 1965 that the late Atlanta Constitution publisher Ralph McGill said and did certain dishonorable things which I know he did not say or do.

My office, as editor of The Constitution at that time, adjoined McGill's. As close personal friends and professional running mates we talked repeatedly every day, lunched together, shared our problems and sought each other's advice. We were inseparable, in almost constant contact, and during our 12 years together I never knew him to tell me an untruth or deceive me on his thinking.

Nothing disturbed us more during that stressful time of Southern desegregation than our separate discoveries, discoveries, which we immediately shared, that FBI agents were spying on the personal life of Dr. Martin Luther King Jr. Our knowledge was firsthand. Agents of the Atlanta FBI bureau visited us in our offices and alleged they had proof of Dr. King's involvement in extra-marital affairs. In my case an agent, on two separate visits, insisted strenuously that I assign a reporter and photographer to catch Dr. King and his companion at an airport where an FBI "informant" (meaning bug) said he was going to board a plane the evening weekend when I tried to explain we



did not publish a peephole journal, and told the agent a person's private life is not news, he hotly criticized The Constitution for supporting Dr. King's public leadership and blinding its readers to his private "immorality." Other Southern newspapers received similar visits and to the press' credit not one printed the FBI's smears in Dr. King's lifetime.

McGill and I were astonished and outraged that our friends in the FBI Atlanta bureau had been assigned, obviously by Hoover, to such a dirty business as character assassination, and by these sleazy means.

Ralph McGill could muster a towering anger and I never saw him madder. His first impulse was to get word to Dr. King so he could protect himself. He picked up the telephone to pass the information to Dr. King's father but I dissuaded him from upsetting Dr. King Sr. by spreading the FBI's smear around the family.

He spoke of getting in touch instead with Atty. Gen. Robert Kennedy to let him know what the FBI was up to. I don't know if he reached Kennedy personally. I person-

ally told this story to John Doar, one of Kennedy's assistants, and was appalled when I got no reaction from him, not even an indication he had heard what I said (and we were speaking face to face). I realized then that Hoover either was beyond Kennedy's control, or else Kennedy knew what Hoover was doing. McGill and I traded disappointed exclamations over this.

Thereafter McGill's columns supported Dr. King's leadership of the civil rights movement more strongly than ever.

But Sullivan's memo to Hoover claimed that McGill was so shocked by the FBI's information on Dr. King's private life that he stated he would use his influence to get Dr. King out of the leadership of the civil rights movement! That must have been music to Hoover's ears, encouraging him to press on with his bugs and taps on Dr. King's bedroom. The problem is, it just wasn't so. McGill's shock was directed at the FBI, and his support went to Dr. King. He'd have been the last man in the world to desert King in these circumstances.

Worse, Sullivan's memo went on to regale Hoover with the notion that McGill would attempt to block an Atlanta banquet scheduled to honor Dr. King after he won the Nobel Prize. McGill would work through a banker friend to get the business community to withdraw its support for the banquet, Hoover was told by Sullivan.

That fabrication is a laugher for one who was there, as I was. There wasn't any business community support.

Dep.-A.D.-Inv. _____
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Rec. Mgmt. _____
Spec. Inv. _____
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Director Sec'y _____

(Indicate page, name of newspaper, city and state.)

Page 5-A

THE
ATLANTA CONSTITUTION

Atlanta, Georgia
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/28/00 BY SP/AM/RP

File 100-106670
100-106670
6/28/76
JUL 1 1976
Date: 5-31-76
Edition: Morning
Author: Eugene Patterson
Editor: Hal Gulliver
Title: (O SENSTUDY 75)

Character:

or

Classification: 62-2854
Submitting Office: ATLANTA

Being Investigated

NOT RECORDED

191 AUG 4 1976

NOT RECORDED

25 JUL 26 1976

The fact is that McGill was the only white business or professional leader in Atlanta who stepped forward to co-sponsor the banquet, in conjunction with a Catholic bishop and a Jewish rabbi, while the bankers and businessmen of that city ran for cover. In conversations with me, McGill alternately raged and laughed at the spectacle of Atlanta's white establishment being too timid or too segregated to even send second vice presidents to the banquet honoring a black Nobel Prize winner.

While Hoover enjoyed Sullivan-inspired visions of the great liberal newspaper publisher warning an eager business establishment away from the King banquet, I watched McGill work his way around the boycotting businessmen to the holders of real power in Atlanta, whom he persuaded to bring their influence and pressure to bear on the bankers to support the King banquet. At a very late hour the banquet was saved from being a lonely gathering of black people and a few white humanists by an inpouring of second vice presidents, and even some firsts, because the word had been passed from on high as a result of McGill's single-handed exertions.

I had thought the finest irony of that banquet was the praise Time magazine later lavished on Atlanta because the white establishment had honored a black son, the kind of national publicity that brought a boom to that once sleepy town.

But now the Senate investigating staff has disclosed the true irony: Hoover thought McGill was trying to sabotage the banquet, because his agents had told him so.

The implication speaks for itself. An autocratic FBI director, armed with the public's trust and secure from a cowed Congress, could misuse his power to stalk and smear any American citizen of his choosing including you or me. And probably because he wanted only good news, he got demonstrably false intelligence upon which to base his whims. Frightening?

Consider the footnote: The agent who failed to persuade me to smear Dr. King in The Atlanta Constitution got a harsh Hoover letter and an overnight transfer to a distant city not long after he failed to come up with clippings that would have pleased Hoover. I saw the letter. It said the agent was being punished for being six pounds overweight.

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - P. V. Daly)

The Attorney General

February 23, 1976

Director, FBI

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

1 - Mr. W. R. Wannall
1 - Mr. J. G. Deegan
1 - Mr. W. O. Cregar
1 - Mr. S. Klein

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-28-00 BY SP2/AM/ew

Reference is made to my memorandum of December 19, 1975, in which I advised you of a breach of confidentiality in the handling of FBI documents delivered to the SSC. This memorandum detailed the disclosure in the North Carolina Press of former FBI informant George F. Dorsett, which disclosure was specifically attributed to documents delivered by this Bureau to the SSC.

On February 6, 1976, the SSC held an Executive Session concerning "Domestic Intelligence Investigations." During the course of the Executive Session several requests were made of the Bureau personnel present. Among these was a request by Senator Robert Morgan for a detailed breakdown of payments made by this Bureau to George F. Dorsett, whom the Senator alleges to have been a Bureau informant reporting on the Ku Klux Klan. He also alleged that Dorsett was a "salaried employee" of the FBI.

George F. Dorsett was an FBI informant from January, 1959, to October, 1970. At no time was he a "salaried employee" of this Bureau. Dorsett supplied information concerning Ku Klux Klan activities primarily in North Carolina. He was discontinued as an informant when his activity in the Klan ceased, at which time his relationship with the Bureau continued to be excellent.

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.

Admin. Enclosures (2)

Comp. Syst.

Ext. Affairs

Files & Com.

Gen. Inv. 62-116395

Ident.

Inspection

Intell. SK:klm

Laboratory

Plan. & Eval. (11)

Spec. Inv.

Training

Legal Coun. TO BE HAND-DELIVERED BY THE OFFICE OF CONGRESSIONAL AFFAIRS

Telephone Rm.

Director Sec'y MAIL ROOM TELETYPE UNIT

REC-114 62-116395-1690
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WPA/KS AUG 3 1976

SEE NOTE PAGE 3

The Attorney General

Payments to Dorsett commenced January 30, 1959, and lasted until April 29, 1970. During this period, he was paid a total of \$26,266.01 which consisted of \$16,797.79 for services and \$9,468.22 for expenses. An analysis of these payments at FBI Headquarters reveals Dorsett was paid on a "cash-on-delivery" basis, and that these payments were commensurate with the information he furnished.

Dorsett's informant status has not been disclosed or acknowledged publicly by the FBI. Dorsett himself has persistently denied in public, his former role as a Bureau informant. During an interview of Dorsett by FBI Agents on December 12, 1975, he expressed concern for his personal safety and for the safety of his family, based on newspaper articles which alleged his informant status. If information regarding payments to Dorsett becomes available to the news media, it would confirm his informant status and further jeopardize his safety.

Based on a previous agreement with SSC Staff personnel, the FBI has not been required to divulge the identity of any individual who served in an informant status with this Bureau. In view of the above, the Bureau feels it cannot respond to Senator Morgan's request, and is forwarding a memorandum to the SSC explaining this position.

The Bureau's reluctance in giving this information is based on the need to protect the safety and well being of those who have volunteered their services to assist their country and the FBI.

The Attorney General

Enclosed for your approval and forwarding to the Committee is an original of a memorandum which responds to the above request by Senator Robert Morgan.

A copy of this memorandum is being furnished for your records.

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

NOTE:

Above necessary to apprise the Attorney General of Bureau decision not to furnish the SSC with material requested by Senator Morgan at Executive Session on 2/6/76.

62-116395

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - P. V. Daly)
1 - Mr. W. R. Wannall
1 - Mr. J. G. Deegan
1 - Mr. W. O. Cregar
1 - Mr. S. Klein

February 23, 1976

U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/28/00 BY SP229/PLW

Reference is made to a request by Senator Robert Morgan at an Executive Session of the SSC on February 6, 1976.

On February 6, 1976, the SSC held an Executive Session concerning "Domestic Intelligence Investigations." During the course of the Executive Session, several requests were made of the Bureau personnel present. Among these was a request by Senator Morgan for all information concerning payments made by this Bureau to one George F. Dorsett, whom Senator Morgan alleges to have been a Bureau informant. Based on a previous agreement with SSC Staff personnel, the FBI has not been required to divulge the identity of individuals who have not been publicly acknowledged as informants.

The FBI has made no public statement as to whether or not Dorsett acted as an informant of this Bureau, and Dorsett has, himself, publicly denied ever serving in an informant capacity. In view of the above agreement, this Bureau feels it cannot be responsive to Senator Morgan's request at this time.

It should not be inferred from this reply that Dorsett was or was not acting as an informant for the FBI.

1 - The Attorney General

SK:klm
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ORIGINAL AND ONE TO AG

TO BE HAND-DELIVERED BY THE OFFICE OF CONGRESSIONAL AFFAIRS

MAIL ROOM TELETYPE UNIT

ENCLOSURE. 62-116395-144 GPO: 1975 O - 569-920

1 - Mr. J. Adams
2 - Mr. J. Mintz
(1 - Mr. P. V. Daly)
1 - Mr. T. W. Leavitt
1 - Mr. J. G. Deegan
2 - Mr. S. F. Phillips

April 7, 1976

The Attorney General

Director, FBI

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

Enclosed for your approval and forwarding to the SSC is the original of a memorandum relating to this Bureau's review of the SSC's draft concerning its Findings and its report on Domestic Intelligence Activities. Included in the memorandum is information concerning the final draft report of the SSC entitled "Dr. Martin Luther King, Jr., Case Study."

Also enclosed is a copy of the memorandum for your records.

Enclosures (2)

62-116395

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-28-00 BY SP2A/MLR
REC-114

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for Intelligence Coordination

SFP:ihb/hb
(11)

3 AUG 3 1976

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
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Laboratory _____
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Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

ENCLOSURE

APPROVED: *PLM*
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Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: *PLM*
Admin. _____

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Spec. Inv. _____
Training _____

TO BE HAND-DELIVERED BY THE OFFICE OF CONGRESSIONAL AFFAIRS
MAIL ROOM TELETYPE UNIT
NW 34526 AUG 1 1976 89595 Page 154

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
1 - Mr. T. W. Leavitt
1 - Mr. J. G. Deegan
2 - Mr. S. F. Phillips

62-116395

April 7, 1976

U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

On March 31 and April 1, 1976, representatives of this Bureau reviewed the SSC's draft concerning its Findings. The purpose of the review was to recognize and bring to the attention of the SSC Staff any information the FBI believes to be classified or otherwise sensitive to the extent that it should not be made public, as well as the identities of any FBI personnel below the rank of Section Chief which, by prior agreement between the SSC and FBI, would not be included in the Findings.

Set forth below are the instances noted where deletions or changes are suggested. An enumeration of these instances was informally furnished to Mr. Dan McCorkle of the SSC Staff on April 2, 1976.

"4/2/76

"The following concerns Senate Select Committee (SSC) Findings, in seven parts, made available by SSC 3/31/76 for FBI review to determine whether or not any of the material is classified and to take notice of the names of any FBI Special Agents or former Special Agents below the rank of Section Chief.

"Attached is a list of comments resulting from the review. In addition to those comments indicating some material appearing to be missing in the Findings, the following should be noted:

SFP:1hb/hb

(10) ORIGINAL AND ONE COPY TO AG

SEE NOTE PAGE 4

ENCLOSURE

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Telephone Rm. Director Sec'y

NW 54928 DocId:32989595 Page 155

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

"Each of the seven parts of the Findings commences with a heading "Major Finding," followed by another heading "Subfindings." In all instances, the material under these two headings has been excised and, therefore, no FBI review was possible. We are, therefore, noting these exceptions to the materials supplied for review.

"Attachment

"4/1/76

| <u>Number</u> | <u>Comments</u> |
|---------------|--|
| "R2839 | None. |
| "R2863 | (1) A footnote on page 33 contains the name of former FBI SA B. C. Rachner. This name should be deleted as he was never a Section Chief or higher rank. (2) The top portion of page 38 is blank and, from the flow between pages 37 and 38, it appears that some information is missing from page 38 which needs to be supplied for FBI review. |
| "R2816 | (1) Page 19 contains the name of former SA Lish Whitson which should be deleted as at the time involved he was not a Section Chief or higher rank. (2) Page 23 contains the name of former SA Stapleton which should be deleted as at the time he was not a Section Chief or higher rank. (3) It appears that part of page 17 is missing; supply for FBI review. |
| "R2871 | On page 37 the name of SA Ryan should be deleted as he was not a Section Chief or higher rank. |

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

"2866 A portion of page 21 appears to be missing and should be supplied for FBI review.

"R2795 (1) On page 27 a footnote contains the initials of a Special Agent of the FBI. While the identity of this SA is not apparent on the surface, there is a possibility the initials could lead to his identity. Further, there is a likelihood he was not a Section Chief or higher rank. The initials should, therefore, be deleted.
(2) On page 29 appears the initials of an FBI Special Agent. While the identity of this SA is not apparent on the surface, there is a possibility the initials could lead to his identity. Further, there is a likelihood he was not a Section Chief or higher rank. The initials should, therefore, be deleted.

"R2864 On page 20 a footnote contains the initials of a Special Agent as B. B.; on page 27 a footnote contains the initials of a Special Agent as N. S.; and on page 29 footnotes contain the initials of Special Agents B. K. and G. L. In respect to all of these pages, it is believed that the initials should not be included as they could lead to the identities of the Agents. While the rank is not known, it is likely it was below Section Chief."

On March 31 and April 1 and 2, 1976, FBI representatives also reviewed the SSC's draft report on Domestic Intelligence Activities for the same purposes as indicated above relating to the Findings. After review, McCorkle of the SSC Staff was furnished on April 2, 1976, an informal note calling to his attention the following matters:

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

"A footnote on page 149 contains the name of former SA Russell Horner and a footnote on page 223 contains the name of former SA Sam Papich. Neither of these individuals was a Section Chief or higher rank; their names should, therefore, be deleted. Also, pages 188 and 192 are missing and should be supplied for FBI review."

By FBI memorandum dated March 26, 1976, certain matters requiring the SSC's attention were brought to notice concerning the SSC's draft report entitled "Dr. Martin Luther King, Jr., Case Study." On April 2, 1976, the SSC made available its final draft report on this matter for further review. It was noted that footnote number 63 on page 110 still contained the name of former FBI Special Agent William Stapleton which should be deleted as noted in the March 26, 1976, memorandum. This was orally brought to the attention of McCorkle on April 2, 1976.

1 - The Attorney General

NOTE:

The Findings, which were in seven parts, were reviewed as a coordinated project in INTD by the personnel having primary interest in the contents such as Supervisor D. Ryan regarding COINTELPRO, Supervisor S. F. Phillips concerning Martin Luther King, Jr., etc. Phillips furnished the informal notes and advice to McCorkle as indicated above.

APPROVED: *[Signature]*

Assoc. Dir. *[Signature]* Comp. Syst. Laboratory
Dep. AD *[Signature]* E... Adm. Legal Coun.
Dep. AD I. *[Signature]* C... I. Pla. & Eval.
Asst. Dir. *[Signature]* Intell. I... S. Mgmt.
Admin. *[Signature]* Inspection Spec. Inv.
Training

[Signature]

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: SENATE SELECT COMMITTEE

LTR LHM Memo Report dated 4/7/76

Caption of Document: U.S. Senate Select Committee (SSC).
(FBI review on 3/31, 4/1 & 4/2/76
of SSC draft reports)

Originating Office: FBI

Delivered by: Richard J. Taylor Date: 4/13/76

Received by: Lynsey Oster

Title: Clerk

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-28-00 BY SP/ALM/ew

TO: Intelligence Community Staff
ATTN: Central Index

FROM:

FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

| | DOCUMENT | BRIEFING | INTERVIEW | TESTIMONY | OTHER | |
|-------------------------------------|----------|----------|-----------|-----------|-------|--------|
| <input checked="" type="checkbox"/> | | | | | | 4-7-76 |

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

| | |
|-------------------------------------|-----|
| <input checked="" type="checkbox"/> | SSC |
| | HSC |

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

Not applicable

U

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

Information handling

8. SUMMARY (see reverse side before completing this item)

Memorandum relating to this Bureau's review of the SSC's draft concerning its Findings and its report on Domestic Intelligence Activities. Included in memo is information concerning the final draft report of the SSC entitled "Dr. Martin Luther King, Jr., A Case Study."

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-28-00 BY SP/AM/jew

62-116395

DS/ds

(3)

TREAT AS YELLOW

JG

3791 (6.75)

F B I

Date: 7/12/76

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL

AIR MAIL

(Precedence)

REC'D
REC'D
REC'D

TO: DIRECTOR, FBI (62-116395)

FROM: SAC, SAN FRANCISCO (62-6887)

SUBJECT: SENSTUDY 75

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/28/00 BY SP/AL/ya

On Friday, 7/9/76, ED MONTGOMERY, retired reporter, "San Francisco Examiner," called me. He said he had just received a telephone call from a ROBERT FRIEDMAN of "Time Magazine" in New York. FRIEDMAN told MONTGOMERY that he had been going over some of the Church Committee Reports and that it was obvious that the FBI in the past had "fed" MONTGOMERY a considerable amount of information. MONTGOMERY said FRIEDMAN indicated that the FBI had given MONTGOMERY information regarding the Black Panther Party in Oakland. MONTGOMERY told FRIEDMAN that this was not true, that he received his information from the Sheriff's Office in Alameda County. FRIEDMAN also indicated that MONTGOMERY had received information concerning ANGELA DAVIS and the guns used in the Marin County shootout in which several people were killed. MONTGOMERY told FRIEDMAN that this was not true, that he had received this information from the Marin County Sheriff's Office and that the FBI was not involved in this case at that point but did later have an unlawful flight warrant on DAVIS, which resulted in her eventual arrest in New York.

FRIEDMAN referred to several other incidents in the Church Committee Report and indicated it was obvious to him that the FBI had furnished the information to MONTGOMERY. MONTGOMERY told him this was "a lot of garbage." MONTGOMERY then asked FRIEDMAN if MONTGOMERY's name was mentioned in the report as having received the information and FRIEDMAN said it was not although FRIEDMAN drew the conclusion that it was MONTGOMERY.

2 - Bureau (RM)
1 - San Francisco
CWB/cmp

(3)

62-116395-1688
4 JUL 14 1976Approved: _____
Special Agent in Charge

Sent _____

M. Per _____

SF 62-6887

CWB/cmp

MONTGOMERY again told FRIEDMAN that he had many, many sources and that he was not the recipient of information volunteered to him by the FBI. MONTGOMERY commented that FRIEDMAN obviously did not want to believe this.

MONTGOMERY furnished this for information.

Mr. T. W. Leavitt

J. G. Deegan

HAROLD TAYLOR
EM - BPP

1 - J. B. Adams
1 - Legal Counsel Division
1 - T. W. Leavitt
1 - J. O. Ingram
1 - S. F. Phillips
1 - J. G. Deegan
1 - D. Ryan
1 - J. T. Aldhizer

5/27/76

PURPOSE: (1) To provide information concerning state court subpoena for our records in connection with captioned subject's trial and (2) to recommend Legal Counsel Division prepare appropriate communication to the U. S. Senate protesting activities of Senate Select Committee (SSC) staff member Arthur Jefferson who has involved himself on the side of Black Panther Party (BPP) subjects against the FBI in legal proceedings in Los Angeles and Chicago.

SYNOPSIS: In a state court case in Los Angeles, California, involving Taylor, a former BPP member on trial for attempted murder of a policeman in 1971, the defense has tried to establish that the FBI's Counterintelligence Program (COINTELPRO) harassed the defendant and caused him to commit the crime. In its latest action the defense has subpoenaed 65 documents from our Los Angeles and San Diego offices. Review of these documents indicate they are all COINTELPRO related and subject Taylor is not mentioned. Los Angeles and San Diego recommended and FBIHQ concurs that these documents should not be produced and the Assistant United States Attorney (AUSA) in Los Angeles and the Department of Justice in Washington, D. C., are being urged to resist production. Hearing is set for approximately 6/1/76. Defense in Taylor's case is using expert witness testimony of Arthur Jefferson, reportedly an employee or investigator of the SSC who allegedly authored SSC report on FBI harassment of BPP, particularly in California. SSC final report dated 4/28/76, confirms Jefferson's connection with the SSC. In addition, Jefferson is listed as witness for the plaintiffs in the Iberia Hampton civil suit in Chicago and our COINTELPRO efforts against the BPP have also been interjected into this suit. Since Jefferson is apparently using information obtained through his SSC work, an appropriate communication should be sent to the U. S. Senate protesting his actions.

157-14077

1 - 44-44202
1 - 62-116395

JTA:adm
(11)

157-14077
JUL 22 1976

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DATE 12/28/00 BY SP2 ALM/jrs

CONTINUED - OVER

Memorandum to Mr. T. W. Leavitt
Re: Harold Taylor
157-14077

RECOMMENDATIONS: (1) We are continuing efforts with the Department and the AUSA, Los Angeles to resist producing subpoenaed documents.

(2) That the Legal Counsel Division prepare appropriate communication to the U. S. Senate protesting the actions of Arthur Jefferson.

DETAILS:

Los Angeles Situation

Harold Taylor is one of three Los Angeles BPP members on trial in the Superior Court in California for attempted murder of a policeman on 9/10/71. Throughout the trial the defense has attempted to establish that the FBI's COINTELPRO harassed the defendants and caused them to commit the crime.

On 5/24/76 Los Angeles advised that the defense attorney in this case, Beth Lizsey has subpoenaed, and is introducing the oral testimony of Arthur Jefferson. Jefferson qualified as an expert witness on the basis of being an investigator or employee of the SSC and reportedly authored the Committee's report about alleged FBI harassment and illegal activities against the BPP, particularly in California. According to the prosecutor in the case, Jefferson's testimony to date has been before the jury.

On 5/25/76 Los Angeles advised that a subpoena duces tecum was received on 5/25/76 in the Taylor case and directed to Custodian of Records, FBI, Los Angeles and San Diego Divisions. The subpoena called for production of 25

Memorandum to Mr. T. W. Leavitt
Re: Harold Taylor
157-14077

documents of the Los Angeles office and 40 documents of the San Diego office. These documents were specifically identified according to date and whether they were prepared at FBIHQ or in the field. The subpoena states the documents are material to the issue involved and relevant to the defense of Taylor, a member of the BPP.

In its review of the list of documents Los Angeles was able to identify 21 of the 25, all of which relate to the BPP COINTELPRO file. The documents are of general nature pertaining to the disruptive tactics against the BPP and none mentioned Taylor. Similarly, San Diego determined all communications located which were named in the subpoena were in its COINTELPRO file and none contained any reference to Taylor.

Los Angeles and San Diego recommended documents not be made available to the defense and the Intelligence Division and Legal Counsel Division concur. AUSA Dominick Rubalcava, Los Angeles is handling this matter but to date has been unsuccessful in contacting Departmental Attorney Gordon Daiger, Washington, D. C., for his opinion regarding production of the documents. Rubalcava stated he is making no recommendations at this time pending discussions with Daiger, but feels documents subpoenaed should not be made available unless the entire trial would be jeopardized. Rubalcava believes court appearances pertaining to production of documents will not be scheduled until approximately 6/1/76. He advised the defense counsel is utilizing expert testimony of Arthur Jefferson who is testifying concerning FBI actions undertaken nationwide to disrupt BPP activity.

On 5/26/76 Mr. R. F. Peterson of the Legal Counsel Division contacted Daiger who stated he has not been in contact with Rubalcava concerning the matter. Pending discussion with Rubalcava, Daiger will render an opinion regarding production of the documents.

Chicago Situation

FBI employees, former employees and an informant have been named as co-defendants in the case captioned "Iberia Hampton, et al v. Edward Hanrahan, et al." This

Memorandum to Mr. T. W. Leavitt
Re: Harold Taylor
157-14077

civil action was brought by heirs of two BPP members killed in a 12/4/69 shoot-out between BPP members in Chicago and Chicago police officers assigned to the State's Attorney's Office, Cook County, Illinois. Our COINTELPRO has been interjected into this trial by the plaintiffs to the point of alleging the shoot-out was a culmination of a series of FBI COINTELPRO actions directed against the BPP.

Steven Blackhurst, Assistant Special Counsel on Intelligence Coordination, Department of Justice, has advised that according to Ed Christenberry, Departmental Attorney handling the Hampton suit, Arthur Jefferson is listed as a plaintiff witness in that trial. We have no indication that Jefferson has testified to date. You will be advised of further developments.

Arthur Jefferson

SSC documents identified Arthur Jefferson as an SSC counsel who in the final SSC report, dated 4/28/76, is listed as Principal Staff Author of the Appendix entitled "The FBI's Efforts to Disrupt and Neutralize the BPP."

OBSERVATIONS: (1) We will continue our efforts with the AUSA in Los Angeles and the Department to resist producing subpoenaed documents in the Taylor trial.

(2) Since documents listed in the Taylor case subpoena are specifically identified, it appears Jefferson is capitalizing on information he obtained in his SSC work relating to our COINTELPRO against the BPP and that Legal Counsel Division direct appropriate communication to the U. S. Senate protesting Jefferson's actions.

UNITED STATES GOVERNMENT

Memorandum

TO : MR. CALLAHAN

FROM : J. B. ADAMS

SUBJECT: SENSTUDY

DATE: 5/10/76

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. ZAD Inv. _____
Asst. Dir.: Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. *WURTE* _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Counsel _____
Telephone Rm. _____
Director Sec'y _____

Open

You and I met this morning with the Attorney General, Mike Shaheen, Steve Blackhurst, and Senator Morgan of North Carolina and his assistant, Walter Ricks.

Senator Morgan was desirous of receiving the approval of Mr. Levi for public release of certain documents concerning FBI investigations of the Klan in North Carolina. These documents pertain to efforts of an informant to charter a number of chapters after breaking away from the main Klan organization, and would in all probability pinpoint the identity of the informant. The Senator also wanted certain documents concerning Cointelpro activity against the Black Panthers in North Carolina cleared for public release.

After much discussion, the Attorney General voiced his great reluctance to in any way reveal the identity of an informant even though the informant had publicly been identified by Senator Morgan in speeches. Mr. Levi reminded the Senator of the procedures followed by the Senate Committee and the agreement not to reveal informant identities. Senator Morgan was unhappy with this position and feels that North Carolina is being unfairly labeled by the FBI as the Klan capital of the world when, in fact, much of the Klan activity and violence can be attributed, according to Senator Morgan, to FBI informant activity. His interest in releasing these documents stems somewhat from the fact that Senator Morgan had been challenged by the SAC ^{CC 101} Charlotte on some statements he has made concerning the Klan. He also alluded to the fact that many letters critical of him had been written by ex-Agents, which he suspects may have been motivated by the Special Agent in Charge. He stated these letters do not bother him, since they give him the opportunity to strike back.

Re: 395-168

2 JUL 28 1976

The Attorney General advised Senator Morgan that we would be glad to review the documents and the Attorney General would let him

JBA:ams

(4)

1 - Mr. Leavitt

1 - Mr. Mintz

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DATE 11-28-00 BY SP/ALM/jew

CONTINUED - OVER

Memorandum for Mr. Callahan
Re: SENSTUDY

know his decision after a careful review had been made. Mr. Shaheen will maintain contact with Mr. Ricks concerning the identities of the specific documents desired.

ACTION:

Information only.

EMM *grd* *WY*

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. T. W. Leavitt

FROM : J. G. Deegan

SUBJECT: REQUEST FOR RETENTION ~~OF XEROX~~
EQUIPMENT FOR USE BY DOCUMENT
CLASSIFICATION UNITS

1 - Mr. E. W. Walsh
1 - Mr. T. W. Leavitt

DATE: 5/4/76

1 - Mr. J. G. Deegan
1 - Mr. G. T. Tunstall

Senstudy-75

ALL...
HEREIN...
CLASSIFIED
DATE 11-28-00 BY G. Deegan

W. O. Cregar to Mr. W. R. Wannall memorandum, dated 10/7/75, received approval for additional Xerox copying machine, Model 7000, to be located in Room 4063, JEH Building, for use by the Senstudy Project. With the decreases in demand for material by both House and Senate Committees, this machine is no longer required for this purpose on a full time basis.

To indicate the volume of documents being reproduced on the three machines now being utilized by the Intelligence Division, the following data is submitted for the month of March, 1976:

ST. 115 REC-73

62-11631-1686

1. Model 7000 with sorter (machine described in above paragraph) was used to reproduce 45,459 pages during the above month.

2. Model 7000 without sorter was used by the ~~UL~~ 13 1976 Division for the production of 40,700 pages.

3. Model 3600 was used to reproduce 28,066 pages during the month of March.

As indicated by the above figures, all three machines are needed to handle the reproduction needs of the Intelligence Division. While there is a decrease in demand for materials by both the House and Senate Committees, there is an increase of court order material in various suits in

GTT:seb
(5)

XEROX
15
JUL 20 1976

CONTINUED - OVER

SEE MECHANICAL SECTION ADDENDUM, PAGE 3

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Compt. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

UNRECORDED UNCLASSIFIED FILED IN

Memorandum to Mr. Leavitt
Re: Request for Retention of Xerox
Equipment for Use by Document
Classification Units

which the Bureau is involved, including the Socialist Workers Party suit which recently necessitated the Xeroxing of thousands of pages on an expedite basis. The transfer of the Document Classification Office and its related activities from the Inspection Division to the Intelligence Division will add to the volume of work being placed upon these machines. An increase in the Freedom of Information Act requests and appeals also creates additional need for reproduction of documents.

Although it is impossible to determine with any certainty the amount of documents which now need to be reproduced, it is felt that the volume will be such as to fully justify retention of the above-mentioned machine. Additional information will be submitted as the Division adjusts to the new work when a definite volume can be predicted.

ACTION:

That the Xerox Model 7000 copying machine be retained in the Intelligence Division.

GTT

ew/psb

Tubbs/EE

Memorandum J. G. Deegan to Mr. T. W. Leavitt

Dated: 5/4/76

Re: Request For Retention of Xerox
Equipment For Use by Document
Classification Units

OK ADDENDUM OF MECHANICAL SECTION

RBM:bg

5/25/76

The Intelligence Division requests that they be allowed to retain the Xerox Model 7000 with 10 bin sorter. That Division received approval by memorandum W. O. Cregar to W. R. Wannall dated 10/7/75 for this additional machine for use by the Senstudy Project. This machine is no longer required for this purpose on a full time basis; however, reproduction figures submitted for the month of March indicate a continuing need for the Model 7000 with sorter as well as another 7000 machine and a Model 3600 presently on board. This matter will be followed closely on each quarterly copying/duplicating inventory report, the next being due 7/10/76, to be certain there is a continuing need for the Xerox Model 7000 with 10 bin sorter.

OK

| | | |
|-------------------------------|-------------------|-------------------|
| APPROVED: | Ext. Affairs..... | Laboratory..... |
| Assoc. Dir..... | Fin. & Pers..... | Legal Coun..... |
| Dep. AD Adm..... | Cen. Inv..... | Plan. & Eval..... |
| Dep. AD Inv..... | Ident..... | Rec. Mgmt..... |
| Asst. Dir.: Adm. Serv..... | Inspection..... | Spec. Inv..... |
| | Intell..... | Training..... |

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI

DATE: May 18, 1976

FROM : The Attorney General

SUBJECT: Senator Morgan Letter

I wanted to make sure you saw a copy of the letter from Senator Morgan, which we have discussed.

Senate Select Committee
on Small Business

| | |
|----------------|-------------------------------------|
| Assoc. Dir. | <input checked="" type="checkbox"/> |
| Dep.-A.D.-Adm. | <input checked="" type="checkbox"/> |
| Dep.-A.D.-Inv. | <input checked="" type="checkbox"/> |
| Asst. Dir.: | <input type="checkbox"/> |
| Adm. Serv. | <input type="checkbox"/> |
| Ext. Affairs | <input type="checkbox"/> |
| Fin. & Pers. | <input type="checkbox"/> |
| Gen. Inv. | <input type="checkbox"/> |
| Ident. | <input type="checkbox"/> |
| Inspection | <input type="checkbox"/> |
| Printed | <input checked="" type="checkbox"/> |
| Laboratory | <input checked="" type="checkbox"/> |
| Legal Coun. | <input type="checkbox"/> |
| Plan. & Eval. | <input type="checkbox"/> |
| Rec. Mgmt. | <input type="checkbox"/> |
| Spec. Inv. | <input type="checkbox"/> |
| Training | <input type="checkbox"/> |
| Telephone Rm. | <input type="checkbox"/> |
| Director Sec'y | <input type="checkbox"/> |

PPREC
12 JULY 18 1976

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DATE 11-28-00 BY SP2A/cb/Re

REG-35
ST. 115

60-116375-1685

12 JUL 21 1976

84 22 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN

PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.

HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MCC. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

May 11, 1976

The Honorable Edward H. Levi
The Attorney General
Washington, D.C. 20530

Dear Mr. Levi:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-28-00 BY SP/AM/PR

I would like to thank you for the courtesy you extended by promptly responding to my request to see you. Your action exemplified the spirit of cooperation between the Executive and Congress which prompted my request.

I do feel that my concern that the FBI clear for release the documents with which I was concerned deserves your serious attention. While I am aware that the release of the documents may confirm the identity of a former FBI informant, I feel the posture the Bureau has taken in publicly denying that the events described in the documents ever took place necessitates their release, if only to set the record straight. It should be noted that the Bureau's public position in this situation, as well as in others, has been taken in direct response to public statements I have made critical of past improper FBI activities. Accordingly, it is the confirmation of improper FBI activity, instead of the identity of the informant, with which I am concerned. Further, it is my feeling that, based on information I have received, the identity of the informant is already common knowledge.

The other group of documents for which I sought release concern FBI actions taken against the Black Panther Party in North Carolina. These in no way involve a confidential source, and I anticipate no problems with their clearance. Under separate cover I am furnishing Mr. Steve Blackhurst copies of the documents for which I seek clearance.

Again, let me express my appreciation to you for your assistance in this matter.

Sincerely,

Robert Morgan
Robert Morgan
(NORTH CAROLINA)

62-116395-1685

ENCLOSURE

The Attorney General

Director, FBI

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

1 - Mr. N. P. Callahan
1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)

May 28, 1976

1 - Mr. D. W. Moore
1 - Mr. T. W. Leavitt
2 - Mr. S. F. Phillips
1 - Mr. J. G. Deegan
1 - Mr. T. J. Seabaugh
1 - Mr. J. D. Powell

Reference is made to memorandum dated May 12, 1976, of Assistant Special Counsel for Intelligence Coordination Steven Blackhurst to FBI Assistant Director, Legal Counsel Division, John A. Mintz, which transmitted a letter from Mr. Walter Ricks of the SSC Staff enclosing documents Senator Robert Morgan of the SSC requests be cleared for public release. Reference is also made to the letter of Senator Morgan to you of May 11, 1976, relating to this matter.

Enclosed for your approval and forwarding to the SSC is the original of a memorandum responsive to the referenced communications. Also enclosed for your records is a copy of this memorandum.

By memorandum December 19, 1975, I informed you of the disclosure in the North Carolina press of the identity of a former FBI klan informant attributed to an unnamed source on the SSC. By memorandum April 22, 1976, I provided to you a copy of an article in the April 4, 1976, issue of the Greensboro, North Carolina, "Greensboro Daily News," in which it was reported that Senator Morgan publicly identified this same FBI klan informant. Some of the documents concerned herewith also relate to this same informant.

The documents that Mr. Ricks has submitted for public release have been reviewed. I respectfully request that this request be denied for the reasons set forth in the enclosed memorandum.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____ 62-116395
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

JDP:lek

(15)
ENCLOSURE
edm

ST. 115

REC-35

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DATE 11/28/02 BY SP/2A/CPR

JUL 21 1976

TO BE HAND-DELIVERED BY THE OFFICE OF CONGRESSIONAL AFFAIRS

MAIL ROOM TELETYPE UNIT

GPO : 1975 O - 594-120

The Attorney General

It is noted that Senator Morgan in his letter points out that some of the documents he requests be cleared for public release pertain to the Black Panther Party and do not appear to compromise an informant. Senator Morgan's observation is correct, and these documents could be excised for release without compromising an informant. I feel, however, that to accede to any part of the request is contrary to my position that this request should be denied inasmuch as it appears not to be within the scope of SSC business.

Enclosures (2)

1-The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

APPROVED: *[Signature]*

Q.C. *[Signature]*

| | | |
|--------------|-------------------|-------------------|
| Assoc. Dir. | Ext. Affairs..... | Laboratory..... |
| Dep. AD Adm. | Fin. & Pers..... | Legal Coun..... |
| Dep. AD Inv. | Gen. Inv..... | Plan. & Eval..... |
| Asst. Dir. | Intell..... | Rec. Mgmt..... |
| Adm. Serv. | Inspection..... | Spec. Inv..... |
| | Intell..... | Training..... |

1 - Mr. N. P. Callahan
1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
1 - Mr. D. W. Moore
1 - Mr. T. W. Leavitt

62-116395

- May 28, 1976
2 - Mr. S. F. Phillips
1 - Mr. J. G. Deegan

U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

1 - Mr. T. J. Seabaugh
1 - Mr. J. D. Powell

Reference is made to SSC request of Walter E. Ricks, III, dated May 11, 1976, forwarding copies of FBI documents which Senator Robert Morgan wishes to have cleared for public release. Reference is also made to Senator Morgan's letter to Attorney General Levi dated May 11, 1976, pertaining to these same documents.

The requested clearance for release is not being granted. It appears this request is a personal request of Senator Morgan and not related to SSC business. The SSC has conducted a thorough review of FBI Counterintelligence Program activities relating both to white hate and black hate groups and individuals. The SSC has held public hearings, issued public statements, and prepared and released its reports covering these areas. It is felt that the FBI should not agree to any further public release of documents in this area and that specifically no such release should be approved for any request that is not that of the SSC for SSC purposes.

Senator Morgan states in his letter to the Attorney General, supra, that his purpose in requesting the release of these documents "is the confirmation of improper FBI activity." Your attention is invited to the remarks of Director Kelley at Fulton, Missouri, on May 8, 1976, in which he clearly acknowledged his recognition of some past improprieties. It is felt that statement is sufficient; we should proceed in a more positive vein and nothing is to be gained by continued emphasis on and disclosures of FBI past activities.

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SEE NOTE PAGE 2

MAIL ROOM TELETYPE UNIT

ENCLOSURE

GPO : 1975 O - 594-120

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

Senator Morgan in his referenced letter states regarding the possible disclosure of the identity of an informant that it is his understanding that this informant's identity is "already common knowledge." This informant's public identification is based solely on unauthorized disclosures that have been made in the North Carolina press attributed to unnamed sources on the SSC and to Senator Morgan. For the FBI to accede to the public release of these documents would serve only to support the prior unauthorized disclosures of the identity of a confidential informant. It is emphasized that the disclosure of this or any FBI confidential source or confidential informant is considered a most serious breach of confidentiality.

1 - The Attorney General

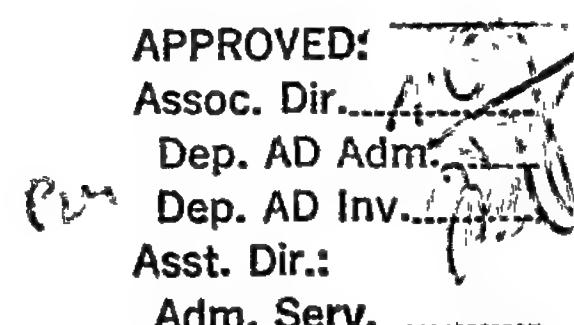
NOTE:

U. S. Senator Robert Morgan of North Carolina, member of the SSC, has publicly criticized the FBI for its Counterintelligence Program (COINTELPRO) actions directed against the klan and the Black Panther Party (BPP) in North Carolina. Some documents that were provided to the SSC, and relating to this area, lead to the identity of a former klan informant. This informant has been identified in the North Carolina press attributed to the SSC and by Senator Morgan. On May 10, 1976, Senator Morgan and the Attorney General, with respective assistants, and Associate Director N. P. Callahan and Deputy Associate Director J. B. Adams met. At that time Senator Morgan expressed his desire to have documents released publicly which allegedly support his contention that the FBI has conducted itself improperly in its investigation of the klan, particularly in North Carolina. The Attorney General stated his reluctance to reveal in any way the identity of a confidential informant. The Attorney General did advise Senator Morgan that we would review the documents and the Attorney General would inform Senator Morgan of his decision regarding their release. Senator Morgan has requested of the Attorney General that we grant approval for public release of documents allegedly supporting Senator Morgan's allegations of FBI misconduct. These documents include those that identify this informant. We are recommending to the Attorney General that the request be denied inasmuch as it appears to be a personal request of Senator Morgan and not a request of the SSC and that the SSC has prepared and released its report on COINTELPRO activities

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

NOTE CONTINUED:

with ample opportunity to address this matter. The Director's recent remarks at Fulton, Missouri, are particularly germane to this situation in that Senator Morgan's stated purpose for requesting the release of these documents "is the confirmation of improper FBI activity." The SSC is referred to the Director's remarks.

APPROVED: 

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1 - Mr. R. P. Callahan
1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)

The Attorney General

July 9, 1976

Director, FBI

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

1 - Mr. D. W. Moore
1 - Mr. T. W. Leavitt
2 - Mr. S. F. Phillips
1 - Mr. J. G. Deegan
1 - Mr. J. D. Powell

Reference is made to my memorandum of May 28, 1976, in response to memorandum dated May 12, 1976, of Assistant Special Counsel for Intelligence Coordination Steven Blackhurst to FBI Assistant Director, Legal Counsel Division, John A. Mintz, which transmitted a letter from Mr. Walter Ricks of the SSC Staff enclosing documents Senator Morgan of the SSC requested be cleared for public release.

Senator Morgan's request was discussed by Mr. Blackhurst and FBI Intelligence Division personnel on June 14, 1976. Mr. Blackhurst was advised that the FBI is strongly opposed to the release of these documents in a form that an informant's identity would be disclosed. The following positions relating to this request were made: the documents should not be approved for release inasmuch as the request is a personal request of Senator Morgan; the request is not a request of the SSC; it is not related to SSC business; the SSC has had numerous hearings relating to the material covered in these documents and has issued its report; the SSC no longer has standing to conduct business; it is felt nothing is to be gained by continued exposure and concentration on past specific incidents; Senator Morgan entered into the Congressional Record on May 10, 1976, my May 8, 1976, remarks at Fulton, Missouri, and Senator Morgan at that time stated his agreement with my remarks.

ENCLOSURE

Regarding Black Panther Party (BPP) documents it was pointed out that Larry Donnell Little, who as BPP leader was the person most affected by the Counterintelligence Program (COINTELPRO) actions, is to be advised by your Special Review Committee of the fact COINTELPRO actions were taken against him. Little is currently running for Alderman in Winston-Salem, North Carolina, and disclosure of these documents at this time could be construed as an improper intrusion into local politics by the Federal Government. In an interview of Little reported in the

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62-116395
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168
DELIVERED TO SENATE'S OFFICE, DEPT. ON 7/13/76 - JDP

The Attorney General

December 20, 1975, issue of the "Winston-Salem Chronicle," Winston-Salem, North Carolina, Little is quoted as being aware of the Freedom of Information Act as a means of obtaining material from FBI files.

Mr. Blackhurst advised that he desires to have available as many options as possible for consideration in responding to this matter. Accordingly, he requested that these documents be reviewed and excised for public release if this option should be chosen.

Enclosed herewith is one set of the documents that has been excised and one set that is not excised, but is red-lined to show what excisions have been made.

I would appreciate your advising me of the action taken in response to this matter.

Enclosures (2)

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

NOTE: This is to accomplish delivery of excised documents to Mr. Blackhurst in accordance with his request as set forth above. Documents Senator Morgan has requested for public release in the form originally turned over to the SSC identified a Charlotte klan informant. This informant was identified when the documents were considered collectively. The documents have been excised extensively and the informant's identity can no longer be established from the documents if approved for public release.

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Dep. AD Inv.
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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. T. W. Leavitt *TWL/8*

FROM : S. F. Phillips *SP*

SUBJECT: SENSTUDY 75

1 - Mr. A. J. Decker
(Attn: W. L. Bailey/
L. W. Brady)

DATE: 6/30/76

1 - Mr. T. W. Leavitt
2 - Mr. S. F. Phillips

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Director Sec'y _____

This memorandum provides for filing of voluminous newspaper and wire service clippings relating to the Senate Select Committee on Intelligence Activities (SSC).

Since inception of the SENSTUDY 75 Project, we have accumulated 9 thick folders containing newspaper and wire service clippings plus some additional material such as magazine articles and other public source data. Material maintained in tickler folders, Sub A file was never opened. Retained material is in general, but not precise chronological order. With the end of the SSC mandate and issuance of its final report, it is believed we should now provide for the final and permanent retention of this material.

This matter was discussed by writer with Messrs. W. L. Bailey and L. W. Brady of the Records Management Division on 6/29/76 and it was agreed that the most practical manner of handling would be to file this material as a bulky enclosure behind file and that no indexing would be necessary. Further, that the original of this memorandum be filed in the main SENSTUDY 75 file, 62-116395, and a copy be filed in Sub A to 62-116395 which should be opened as a repository of it alone. The presence of a copy of instant memorandum in the Sub A will serve as a permanent flag advising where the material is actually filed.

ACTION: Upon approval, Records Management Division will handle in accordance with procedures outlined above. The material is currently maintained in Room 3859 and may be obtained there from the writer.

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ENCLOSURE IN BULKY ROOM
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UNITED STATES GOVERNMENT

Memorandum

frwd
TO : Mr. T. W. Leavitt *TWH/S*

FROM : S. F. Phillips *S*

SUBJECT: SENSTUDY 75
Bufile: 62-116395

HOUSTUDY
Bufile: 62-116464

1 - Mr. A. J. Decker
(Attn: W. L. Bailey/
L. W. Brady)

DATE: 6/30/76

1 - Mr. T. W. Leavitt
2 - Mr. S. F. Phillips

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#MDR-16
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This informative memorandum to advise of start of "wrap-up" project in connection with files, tickler folders, special indices and other material relating to captioned matters.

With the end of the mandates of the Senate and House Select Committees on Intelligence Activities and the release of the last reports, our "current" work relating to the two Committees has, with the exception of a few loose ends, come to an end. The two remaining clerks in the SENSTUDY 75 Project along with the writer, are now primarily engaged in a "wrap-up" project consisting mainly of the following:

(1) complete a special indices which has been in preparation on a continuing basis and which will provide for ready identification of all documents furnished to the Select Committees;

(2) after consultation with Messrs. W. L. Bailey and L. W. Brady and key clerical personnel of the Records Management Division, we have launched a step-by-step effort which will provide for:

(A) integration into the files themselves of copies of voluminous documents which were delivered and/or given access to the Committees. These documents for the most part have heretofore been maintained with our tickler folders.

(B) appropriate filing of 12 folders containing voluminous public source information such as newspaper clippings, wire service excerpts and magazine clippings. (A separate memorandum is being prepared on this matter.) *62-116395-1680*

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CONTINUED - OVER

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Memorandum to Mr. T. W. Leavitt
Re: SENSTUDY 75
Bufile: 62-116395

HOUSTUDY
Bufile: 62-116464

(C) identify all documents delivered and/or given access to the Committees and provide for necessary notations to be placed on the "original file copies" to account for dissemination/access to the Committees.

(D) indices matters--integration of special SENSTUDY 75 indices into Bureau's General Indices; "permanent" retention of special indices. (Separate memorandum to provide for necessary approval of procedures to be worked out, to be submitted.)

(E) "permanent" retention of tickler folders.
(Separate memorandum to provide for necessary approval of
procedures to be worked out, to be submitted.)

ACTION: None. For information and record purposes.

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